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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.M.C. No. 2934/2011**

% *Judgment delivered on:23rd November, 2011*

MOINUDDIN Petitioner
Through : Mr. Mohammad Ikram, Adv.
versus

STATE & ANR Respondent
Through : Ms.Rajdipa Behura, APP for State
with ASI Mohd. Salim, police station in
person.
Respondent No.2 in person with her mother.

CORAM:
HON'BLE MR. JUSTICE SURESH KAIT

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| 1. Whether the Reporters of local papers
may be allowed to see the judgment? | No |
| 2. To be referred to Reporter or not? | No |
| 3. Whether the judgment should be reported
in the Digest? | No |

SURESH KAIT, J. (Oral)

1. Learned counsel for the petitioner submits that vide FIR No.270/2006 dated 30.08.2006 case under Section 498A/406/34 Indian Penal Code, 1860 was registered against the petitioner on the complaint of respondent No.2 at police station Sadar Bazar, Delhi.

2. After investigation, police has filed the charge-sheet and pursuant to the framing of charge against the petitioner, matter is

pending for recording prosecution evidence; whereas other co-accused persons have been discharged by learned Trial Court.

3. Learned counsel for petitioner further submits that vide compromise dated 16.05.2011, the respondent No.2 has settled all the issues qua the aforesaid FIR and she does not wish to pursue her case against petitioner any further.

4. Respondent No.2 personally present in the Court with her mother Smt.Shamina w/o Mohammad Shamim. Additionally, she has also been identified by the Investigating Officer ASI, Mohammad Salim, police station Sadar Bazar, Delhi.

5. Respondent No.2 submits that she has settled all the issued qua the aforesaid FIR and compromise has already been effected between her and petitioner on 16.05.2011. Thereafter, her marriage with petitioner has already been dissolved by pronouncing *Talaq-Talaq-Talaq*. She further submits that she does not wish to pursue her case against the petitioner and has no objection if the present FIR is quashed.

6. Currently, the petitioner is languishing in custody in some other case. He has been produced by the Jail Authorities pursuant to order dated 02.09.2011.

7. Keeping the settlement between the petitioner and respondent No.2 and fact that their marriage has since been dissolved, FIR No.270/2006 under Section 498A/406/34 Indian Penal Code, 1860

registered against the petitioner at police station Sadar Bazar, Delhi and proceedings emanating out therefrom are hereby quashed.

8. Consequently, Criminal M.C.2934/2011 stands allowed and disposed of.

9. No order as to costs.

SURESH KAIT, J

November 23, 2011

MR