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

+ CRL.M.C. 3488/2011

% Judgment delivered on: 22nd November, 2011

JAHID ALI & ORS

..... Petitioner

Through: Mr. G.K. Tiwari, Adv.

versus

STATE & ANR

..... Respondent

Through: Ms. Rajdipa Behura, APP for State along
with IO/SI Naveen Rathi, P.S. Bhajanpura.

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 petitioners submits that vide FIR No.56 dated 09.02.2011, case under Sections 498 A/406/34 IPC was registered at P.S. Bhajanpura, Delhi on the complaint of respondent No.2/complainant.

2 Further, he submits that the matter has been amicably settled between the parties vide settlement dated 03.05.2011.

3 Counsel further states that pursuant to the above said settlement, the marriage between petitioner No.1/husband and respondent No.2/wife has been dissolved vide *Talaknama*, which is placed on record.

4 Respondent No.2/complainant is present in person today. She has been duly identified by IO/SI Naveen Rathi, P.S. Bhajanpura, Delhi and her counsel.

5 Petitioner No. 1/husband/Mr. Jahid Ali is also present in person, has been duly identified by his counsel Mr. G.K. Tiwari. He has handed over a sum of Rs.50,000/- in cash to respondent No.2, who has accepted the same without protest.

6 Respondent No.2 submits that she has settled all her issues qua the aforementioned FIR with the petitioners and does not want to pursue the case further. She has no objection if the present FIR is quashed.

7 Learned APP for State submits that Government Machinery has been used and precious time of the court has been consumed, therefore, heavy costs should be imposed upon the petitioners before quashing the FIR.

8 Though, I find force in the submissions made by learned APP for the State, but in the instant case, keeping in mind the poor financial condition of the petitioners, I refrain from imposing costs upon them.

9 In the circumstances, I quash FIR No. 56/2011, P.S. Bhajanpura, and all the proceedings emanating therefrom.

10 Crl. M.C. 3488/2011 is allowed in the above terms.

11 Dasti.

SURESH KAIT, J

NOVEMBER 22, 2011/j