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

+ **W.P.(CRL) 1598/2011**

IRSHAD BAIG & ORS

..... Petitioners

Through: Mr. S.P. Sharma and Ms. Rekha
Sharma, Advocates with Petitioners in
person.

versus

STATE & ORS

..... Respondents

Through: Mr. Harsh Prabhakar, Advocate for
Mr. Pawan Sharma, Standing Counsel
with SI Uma Datt, PS Manglo Puri.
Mr. Kartickay Mathur, Advocate for
Respondent No. 2 with Respondent
No. 2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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22.11.2011

Crl. M.A. No. 18190/2011 (Exemption)

Allowed, subject to all just exceptions.

W.P. (Crl.) 1598/2011

This is a petition for quashing of FIR No. 48/2011 under Sections
498A/406/34 IPC registered at PS Mangol Puri, Delhi.

The Complainant/Respondent No. 2 Ms. Ilma Parveen is present in
person and is identified by her counsel. She states that the Petitioners and
Respondent No.2/Complainant have entered into a Compromise with the

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interference of elders and relative. It is further stated that the marriage between the parties has been dissolved by pronouncing talaq. As full and final settlement of all the claims of the Respondent No. 2, the Petitioner No.1 has to pay ₹60,000/- out of which ₹45,000/- had already been paid to her and ₹15,000/- have been paid to Respondent No. 2/Complainant today in Court. She further states that she has no claims whatsoever of any kind left against the Petitioner No. 1 and that in view of the settlement between the parties, she does not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

Learned counsel for the learned Standing Counsel for the State points out that as per the Memorandum of Understanding between the parties, all the claims of minor child Sana in the movable and immovable properties of her grandmother have been foregone.

In view of the fact that the parties have amicably resolved their differences of their own free will, volition and without any coercion and no useful purpose will be served in continuance of the proceedings, rather the same would create further acrimony between them, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto.

It is clarified that neither the Petitioners nor the Respondent No. 2 has the capacity to forgo the claims of the minor child Sana and on attaining the majority she will have the right to claim her share as she may be entitled in law.

Petitioner No. 5 Shamima who is present in Court and is identified by the learned counsel does not object to the same.

Consequently, FIR No. 48/2011 under Sections 498A/406/34 IPC registered at PS Mangol Puri, Delhi and proceedings pursuant thereto are hereby quashed.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

The petition stands disposed of. Order dasti.

Mukta Gupta
MUKTA GUPTA, J.

NOVEMBER 22, 2011
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22/11/11
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Yamela Bona
W.P.(CRL) 1598/2011
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2/मीम/बोगम
परवीन बानो

असीफ इल्मी

I stand for the all Petitioner
Refd (Adv)
D1192/96

बिज्या परवीन

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Camest...
P.S. Mangol Puri
01/11/11

I identify
the respondent
No. 2
Signature
07/11/11