

Item No.47

09.11.2012

Present: Mr. Gopesh Tripathi, Advocate for the petitioners.
Mr. Sunil Sharma, APP for the State.
SI Sarita, P.S. Seelampur.
Mr. M. Shamikh, Advocate for R-2.

+ CrI. M.C. No.3890/2012

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.44/2011, under Sections 406/498-A/34 IPC and Section 4 of the Dowry Prohibition Act, registered at Police Station Seelampur, Delhi.

The ground for quashing of the aforesaid FIR and the consequent proceedings is the settlement having been arrived at between the petitioner No.1, Aslam (husband) and respondent No.2, Saba Naaz (wife). The said settlement was recorded at Delhi Mediation Centre, Karkardooma Courts, Delhi. A copy of the same is placed at page No.39 of the petition. According to the settlement, the respondent No.2 has been given a total sum of ₹1,40,000/- at the time of grant of bail to the petitioner No.1. The petitioner No.1 has also divorced respondent No.2 according to Islamic rites.

The petition is supported by affidavits of all the petitioners, who are present in court and are duly identified by their counsel.

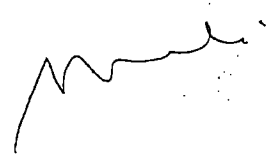
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Respondent No.2 is also present in court and is identified by her counsel as well as by the Investigating Officer. She has also filed a separate affidavit supporting the averments made in the petition. She has also stated orally that on account of the fact that the divorce has been granted to her and that she has received the entire payment, she has no objection to the quashing of the aforesaid FIR and the consequent proceedings.

The learned APP also does not have any objection to the quashing of the aforesaid FIR in the larger interest of the parties.

Having regard to the aforesaid facts, I feel no useful purpose would be served by keeping the aforesaid FIR and the consequent proceedings pending. Accordingly, FIR No.44/2011, under Sections 406/498-A/34 IPC and Section 4 of the Dowry Prohibition Act, registered at Police Station Seelampur, Delhi, and the consequent proceedings stand quashed.

The petition stands allowed.


V.K. SHALI, J.

NOVEMBER 09, 2012

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