

\$~56.

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

+ W.P.(CRL) 2054/2016 and CRL.M.A. 10716/2016

FAHAD AHMAD & ORS

..... Petitioners

Through: Mr. Nikhil Ahuja, Advocate.

versus

STATE & ANR

..... Respondents

Through: Mr. Rajesh Mahajan, ASC along with  
SI Jeetendra Kumar, PS-Jamia Nagar,  
for the State.

Mr. Khalil-Ur-Rehman and Mr.Shariq  
Iqbal, Advocates for complainant.

**CORAM:**

**HON'BLE MR. JUSTICE VIPIN SANGHI**

**ORDER**

**19.07.2016**

%

Issue notice. Notice is accepted by Mr. Mahajan, learned APP on behalf of the State. Notice is also accepted by respondent No.2/ complainant, who is present in person along with her counsel. She is identified by the I.O. as well as the counsel.

This petition has been preferred to seek quashing of the FIR No.1317/2014 registered at Police Station – Jamia Nagar under Section 498A/ 406/ 34 IPC. The petition is premised on settlement arrived at between the parties on 12.07.2016. Petitioner No.1 and respondent No.2 were married on 04.03.2011 according to sharia law and ceremonies. A child was borne out of the wedlock on 02.05.2013. Disputes arose between the parties leading to registration of the aforesaid FIR. The parties have

entered into an MOU dated 12.07.2016, whereunder they have settled their disputes. Copy of the MOU has been placed on record. The parties have resolved their disputes and are living together, and consequently, pray for quashing of the FIR and the proceedings arising therefrom.

Respondent No.2 is present in Court. She states that she is happily living with petitioner No.1 and joins the request for quashing of the FIR and the proceedings arising therefrom.

It had been pointed out yesterday that one of the accused had not been made a party petitioner, namely Usama Ahmed. Learned counsel for the petitioner has today tendered in Court an amended memo of parties which is taken on record. He has also placed on record photocopy of the affidavit sworn by Mohammed Usama. Learned counsel states that since the said person is in Australia, the affidavit would have to be got attested by the Indian High Commission and transmitted to Delhi. The same would take about 15 days. He submits that once the affidavit is received, the same shall be filed on record. Respondent No.2 states that she does not wish to pursue her complaint against any of the accused including Mohammed Usama.

Accordingly, no useful purpose would be served by pursuing the aforesaid FIR and the proceedings arising therefrom. The same are hereby quashed.

Order Dasti under the signature of the Court Master.

**VIPIN SANGHI, J**

**JULY 19, 2016**

*B.S. Rohella*