

37# \$~

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

+ **CRL.M.C. 2755/2016**

TAJ MOHD & ANR

..... Petitioners

Represented by: Mr. Sher Afgon, Advocate with
petitioners in person.

versus

GOVT OF NCT OF DELHI & ANR

..... Respondents

Represented by: Mr. Kewal Singh Ahuja, APP
for the State with SI Seeta
Ram, PS Sarita Vihar.
Mr. Pradeep Kumar Pathak,
Advocate for respondent No.2
with respondent No.2 in
person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

%

02.08.2016

Crl.M.A. No.11750/2016 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 2755/2016 and CM No.11760/2016 (Stay)

By the present petition the petitioners seek quashing of FIR No. 550/2005 under Sections 498A/406/34 IPC and Section 4 of the Dowry Prohibition Act registered at PS Sarita Vihar, Delhi on the complaint of Respondent No.2 on the ground that the parties have settled the matter.

Issue notice.

Learned APP accepts notice on behalf of the State.

Learned APP for the State on instructions from the Investigating

CRL.M.C. 2755/2016

Page 1 of 3

Officer submits that besides the petitioners mentioned in the memo of parties, the father of petitioner No.1 was also an accused, however, he has passed away on 9th September, 2009 and there is no other accused. On instructions he further submits besides the respondent No.2 there is no other complainant/victim in the present FIR.

The Complainant/Respondent No. 2 Ms. Parveen is present in Court and is identified by learned counsel. She states that the Petitioners and Respondent No.2/Complainant have entered into a Compromise through mediation. It is further stated that the talaq has already been pronounced between the parties and thus the parties are not to remarry each other. She further states that she has forgiven her claim of mehar towards the petitioners and she will not raise any claim whatsoever of any kind in future. She further states that in view of the settlement between the parties, she does not want to pursue the abovementioned FIR and the proceedings pursuant thereto

Petitioners, who are present in Court and are identified by their counsel state that they will abide by the terms of the settlement.

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. There is no legal impediment in quashing the FIR in question.

Consequently, FIR No. 550/2005 under Sections 498A/406/34 IPC and Section 4 of the Dowry Prohibition Act registered at PS Sarita Vihar, 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 is disposed of. Order dasti.

MUKTA GUPTA, J.

AUGUST 02, 2016
‘vn’