

40# \$~

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

+ **CRL.M.C. 3292/2016**

KHURSHEED HUSSAIN & ANR.

..... Petitioners

Represented by: Mr. I. Ahmed, Advocate with
petitioners in person.

versus

STATE & ANR.

..... Respondents

Represented by: Mr. Ashok K. Garg, APP for
the State with SI Santosh Pabri,
PS New Friends Colony.
Mr. Haneef Mohammad, Mr.
Kamal and Mr. Nishant,
Advocates for respondent No.2
with respondent No.2 in
person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

08.09.2016

%

By the present petition the petitioners seek quashing of FIR No. 611/2004 under Sections 498A/406/34 IPC registered at PS New Friends Colony, 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 Officer submits that as per the FIR the petitioners mentioned in the memo of parties, are the only accused and the respondent No.2 is the only complainant/victim.

CRL.M.C. 3292/2016

Page 1 of 3

The Complainant/Respondent No. 2 Ms. Durdana Zameer who is present in Court and is identified by learned counsel and the Investigating Officer states that the Petitioners and Respondent No.2/Complainant have entered into a Compromise. It is further stated that the talaq has already been pronounced between the petitioner No.1 and respondent No.2. Respondent No.2 is entitled to a sum of ₹2.50 lakhs in full and final settlement of all her claims of maintenance, alimony, dowry articles and mehar out of which she has already received ₹1 lakh and the balance sum of ₹1.50 lakhs has been received by her today in Court by way of Demand Draft No.503643 dated 22nd August, 2016 drawn on ICICI Bank, Connaught Place, New Delhi. She further states that the child Master Arbash Hussain, born out of the wedlock would remain in her care and custody and the petitioners would not be entitled to claim the visitation rights of the said child. She also 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 affirms the statement of the respondent No.2 made above and 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. 611/2004 under Sections 498A/406/34 IPC registered at PS New Friends Colony, 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.

SEPTEMBER 08, 2016
‘vn’