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

+ **CRL.M.C. 3396/2016**

NAJMA KHATOON & ANR.

..... Petitioners

Represented by: Mr. Siddhartha Singh and Mr.
Amit Kumar, Advocates with
petitioners in person.

versus

THE STATE OF NCT OF DELHI & ANR.

..... Respondents

Represented by: Mr. Ashok K. Garg, APP for
the State with SI Harinder, PS
Aman Vihar.
Mr. Ritesh K. Tiwari, Advocate
for the respondent No.2 with
respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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16.09.2016

Crl. M.A. No. 14380/2016 (Exemption)

Allowed, subject to all just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 1215/2015 under Sections 354A/354D/323/34 IPC registered at PS Aman Vihar, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned APP for the State on instructions submits that in the above noted FIR the two petitioners are the only accused and the respondent No.2 is the only complainant/victim.

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The Respondent No. 2 Ms. Kasifa @ Kasifa Parveen, who is present in Court and is identified by the learned counsel and the Investigating Officer, states that she was married to Mohd. Anwar, son of Petitioner No.1 and brother of Petitioner No.2. During the pendency of the marriage dispute arose between the parties and a complaint was lodged by the respondent No.2 against the petitioner Nos.1 and 2, who are the mother and brother of her husband. She states that she has settled the matter with the petitioners and her husband and Talaq has already been pronounced by Mohd. Anwar and she was to receive a total sum of ₹50,000/- in lieu of her claims of mehar and streedhan out of which she has already received a sum of ₹37,500/- and the balance amount of ₹12,500/- will be received by her at the time of quashing of the FIR under Sections 498A/406 IPC. She further states that the two children were born out of the wedlock, that is, Baby Asin and Master Rehan. Baby Asin would be living in the care and custody of her husband Mohd. Anwar and Master Rehan, who is aged five years is in her care and custody. She does not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

Petitioners, who are present in Court along with Mohd. Anwar, ex-husband of the respondent No.2 and are identified by the learned counsel affirm the statement of respondent No.2 and state that they would 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

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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. 1215/2015 under Sections 354A/354D/323/34 IPC registered at PS Aman Vihar, Delhi and proceedings pursuant thereto are hereby quashed

Petitioners, Respondent No.2 and Mohd. Anwar 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 16, 2016

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