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

+ CRL.M.C. 885/2017

MINHAJUL ISLAM & ANR

..... Petitioners

Through: Mohd.Sharid, Adv. with Mr.Shamim
Ahmad Khan, Adv.

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Through: Mr.Izhar Ahmad, APP for State
SI Jaspal Singh, PS-Vijay Vihar
Mr.Ashwani Kumar, Adv. for R-2

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% **06.03.2017**

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.656/2015, under Sections 498A/34 IPC & Section 4 Dowry Prohibition Act, 1961, registered at Police Station-Vijay Vihar, Delhi and all the proceedings emanating therefrom.

Learned counsel for the petitioners submits that the petitioner No.1, Mr.Minhajul Islam got married with respondent No.2, Ms.Syed Yusufa Falaknuma on 25.04.2010 according to Muslim rites and customs. He further submits that due to temperamental differences and misunderstanding arisen between them, the marital relations between them could not proceed further but consequently with the help of near relatives and close friends, they have amicably settled all their disputes and differences vide settlement deed dated 22.12.2016 and their marriage has also been dissolved as per Shariat Law by pronouncing triple talaq. He further submits that all disputes have been amicably settled between the parties and nothing remains to be adjudicated upon further and submits that the FIR in question is coming as hurdle in the way of the present petitioners. He further submits that the petitioners and the

respondent No.2 want to lead their independent and peaceful life in near future and since all disputes have been settled between them, the FIR in question and all proceedings arising therefrom may be quashed.

The respondent No.2/complainant, Ms.Syed Yusufa Falaknuma is present in Court today and has been identified by the Investigating Officer, SI Jaspal Singh, PS-Vijay Vihar, Delhi. The complainant also admits that the matter has been amicably settled with the petitioners and as per the terms of settlement, she has already received Rs.50,000/- from the petitioners. She further submits that she has waived the Mehar amount and she has no claim or grievance left against the petitioners. She further submits that the settlement/compromise has taken place voluntarily, without any force, pressure or coercion. She further submits that their marriage has already been dissolved and she has no objection if the FIR in question is quashed.

Keeping in view the facts and circumstances of the case and the fact that the matter has been amicably settled between the parties and also the marriage between the petitioner No.1, Mr.Minhajul Islam and respondent No.2, Ms.Syed Yusufa Falaknuma has already been dissolved, it is in their interest to lead their independent and peaceful life in future, consequently, the FIR No.656/2015, under Sections 498A/34 IPC & Section 4 Dowry Prohibition Act, 1961, registered at Police Station-Vijay Vihar, Delhi and all proceedings arising of the same are hereby quashed.

The present petition is disposed of accordingly.

Copy of this order be given *dasti*.

I.S.MEHTA, J

MARCH 06, 2017/radhika