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

+ W.P.(CRL) 1031/2017

MOHD JAFAR & ORS.

..... Petitioners

Through: Mr. Rohit Manan, Advocate and
Mr.Mohit Singhal, Advocate with petitioners in
person.

versus

THE STATE & ANR.

..... Respondents

Through: Mr. Sanjay Lao, ASC with SI Varun
Dalal, PS Gulabi Bagh, Delhi.

Mr. C.S. Mann, Advocate with Ms. Simran Kaur,
Advocate for R-2 along with respondent No.2 in
person.

CORAM:

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

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22.09.2017

1. Status report has been filed.
2. Respondent no. 2 appears in person. She is being represented by her counsel. She is duly identified by IO ASI Lakhan.
3. The petitioners have invoked the writ jurisdiction of this court under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 (in short 'Cr.PC') for quashing of the FIR bearing No.19/2016, registered on 29.01.2016 against them with Police Station Gulabi Bagh North District, Delhi, under Sections 498A/406/34 IPC on the complaint of respondent No.2.
4. The marriage of the petitioner no.1 with the respondent no. 2 was

solemnized on 05.04.2015 as per Muslim rites and customs. However, out of this wedlock no child was born.

5. Petitioner No.2 is the father's brother of petitioner No.1. Petitioner No.3 is the mother of petitioner No.1. Petitioners No.4, 5 and 6 are the sisters of the petitioner No.1 and petitioner No.7 is the brother of petitioner No.1.
6. After solemnization of their marriage, the petitioner no.1 and the respondent no.2 resided together in the matrimonial home for about a month. Due to some temperamental differences between the petitioner no.1 and the respondent no.2, they could not reconcile with each other. Resultantly, the respondent no.2 left the matrimonial home on 15.06.2015 and started residing separately.
7. The respondent no.2 lodged a complaint with CAW Cell which culminated into said FIR against the petitioners.
8. On 06.12.2016, both the parties had amicably resolved and settled all their disputes through a settlement deed which was reduced in writing. By this settlement, the petitioner no. 1 and the respondent no. 2 had decided to part company of each other. Both of them decided that the respondent no.2 shall obtain the divorce from the petitioner no.1 as per Muslim customs. The petitioner no. 1 had agreed to pay a total sum of Rs.3,50,000/- to the respondent no. 2 in full and final settlement of her all claims including the maintenance and cost of dowry/*stridhan* articles.
9. The respondent no. 2 submits that she had voluntarily settled all her disputes without any force or coercion. She submits that she had received the entire settlement of Rs.3,50,000/- from the petitioner

no.1. She submits that divorce was granted to her by the petitioner no.1 on 24.07.2017. Original *talaqnama* is placed on record. She submits that she does not want to pursue the said FIR. She submits that the said FIR may be quashed.

10. Learned ASC through IO submits that the charge sheet has so far not been filed.
11. Both the parties submit that now nothing is due and recoverable by them against each other. Since the parties have amicably settled all their disputes, no fruitful purpose would be served in further pursuing the said FIR. Hence, to secure ends of justice, the FIR bearing No.19/2016, registered on 29.01.2016 against them with Police Station Gulabi Bagh North Delhi, under Sections 498A/406/34 IPC and proceedings arising out of the said FIR are hereby quashed.
12. The petition is disposed of accordingly.
13. *DASTI.*

VINOD GOEL, J.

SEPTEMBER 22, 2017

"shailendra"