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

+ **W.P.(CRL) 2594/2016**

MOHD.ZAKIR HUSSAIN & ORS. Petitioners

Through: Ms.Akanksha Kapoor and Mr.Tarun
Sharma, Advocates with petitioners in
person.

versus

GOVT. OF NCT OF DELHI & ANR. Respondents

Through: Mr.Ashish Aggarwal, ASC for the
State/R-1 with SI Sanjay Kumar, PS
Bara Hindu Rao.
Mr.Vijendra Kumar, Advocate with
respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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24.11.2017

W.P.(CRL) 2594/2016

1. The present writ petition has been filed by the Petitioners under Articles 226/227 of the Constitution of India read with Section 482 Cr.P.C. praying for quashing of FIR No.4/2014 under Sections 498-A/406/34 IPC, P.S. Bara Hindu Rao as well as consequential proceedings emanating therefrom.

2. Briefly stating the facts of the present case are that respondent No.2 got married to petitioner No.1 on 26th May, 2013 according to Muslim rites and ceremonies. It is further mentioned in the petition that the petitioner

No.1 and respondent No.2 could not live together and started living separately with effect from 11th January, 2014. Thereafter, respondent No.2 filed a criminal complaint against the petitioners which resulted into registration of FIR in question. It is mentioned in the petition that during the pendency of above proceedings, the parties arrived at an amicable settlement with the intervention of common friends and relatives and agreed to dissolve their marriage. Deed of settlement dated 27th July, 2017 has also been annexed with the petition.

3. Complainant/R-2 is present alongwith her counsel. Respondent No.2 submits that she has already received the settled amount of ₹1 lakh from the petitioners and that all the terms and conditions of the settlement have also been complied with. Respondent No.2 submits that she has no objection if the FIR in question is quashed qua the petitioners.

4. Learned counsel for the petitioners submits that after the matter in dispute has been amicably settled between the parties and all the terms and conditions of the settlement have also been complied with by the parties, no purpose would be served in prosecuting the petitioners, therefore the FIR in question and criminal proceedings emanating therefrom may be quashed.

5. In view of the legal position laid down in the decision reported as Gian Singh v State of Punjab & Anr. 2012 (9) SCALE 257 and the amicable settlement arrived at between the parties, I am of the considered view that no useful purpose would be served by continuing the criminal proceedings against the petitioners, which will only be an exercise in futile and wastage of precious time of the Court.

6. Accordingly, the petition is allowed and FIR No.4/2014 under Sections 498-A/406/34 IPC, P.S. Bara Hindu Rao, Delhi and consequential

proceedings arising therefrom are hereby quashed.

Order dasti.

CrI.M.A. Nos.13780-13781 of 2016

Dismissed as infructuous.

PRATIBHA RANI, J.

NOVEMBER 24, 2017

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