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

+ CRL.M.C. 669/2017

SHUAIB QURESHI & ORS

..... Petitioners

Through: Mr.Israr Ahmad, Adv.

versus

STATE (GOVT OF NCT OF DELHI) & ANR ..... Respondents

Through: Mr.Kamal Kr. Ghei, APP for State  
S.I. K.P. Singh, P.S. Seelam Pur with  
S.I. Arvind, South District  
Mr.N.K. Deshpal, Adv. for R-2

**CORAM:**

**HON'BLE MR. JUSTICE I.S.MEHTA**

**ORDER**

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**26.07.2017**

This is a petition under Section 482 Cr.P.C. moved by the petitioners for quashing of FIR No.439/2012, under Section 498-A/406/34 IPC and Section 4 of Dowry Prohibition Act, 1961, P.S. Seelam Pur.

It is submitted by learned counsel for the petitioners that the petitioner No.1 got married with the respondent No.2 on 19.11.2011 according to Muslim rites and customs and out of the said wedlock one daughter namely Elma was born, who is aged about 5 years and is in custody of respondent No.2. Counsel further submits that after the marriage misunderstanding has arisen between the parties, which resulted into registration of the said FIR. He further submits that after the registration of the FIR, the near relatives and close friends intervened and the matter has been amicably settled between the parties vide Settlement Deed dated 14.06.2013 and all the settled amount has already been paid to the respondent No.2. He further submits that their marriage has already been dissolved according to Muslim

rites and customs. He further submits that the petitioner No.1 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 is present in person and has been identified by the Investigating Officer S.I Arvind and admits that she has amicably resolved all disputes with the petitioners voluntarily without there being any threat, coercion or pressure of any sort. She further submits that the settlement/compromise has taken place voluntarily, without any force, pressure or coercion. She further submits that as per the terms of settlement she has already received the settled amount and that the minor daughter namely Elma shall remain in her custody. She further submits that their marriage has already been dissolved according to Muslim rites and customs and that 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 and respondent No.2 has already been dissolved, it is in their interest to lead their independent and peaceful life in future.

Consequently, the FIR No.439/2012, under Section 498-A/406/34 IPC and Section 4 of Dowry Prohibition Act, 1961, P.S. Seelam Pur and all proceedings arising out of the same are hereby quashed.

The present petition is allowed and disposed of accordingly.

Copy of this order be given *dasti*, as prayed.

**I.S.MEHTA, J**

**JULY 26, 2017/km**