

\$~45

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 2208/2017
SULEMAN & ANR

..... Petitioners

Through: Mr.M.Wajid Ali, Advocate with the
petitioners in person.

versus

STATE, GNCT OF DELHI & ORS

..... Respondents

Through: Mr.Mukesh Kumar, APP for State
with SI Naveen, P.S. Subzi Mandi,
Delhi.
Mr.Anees Ahmed, Advocate for R2
with R2/complainant in person.

CORAM:
HON'BLE MR. JUSTICE I.S.MEHTA

ORDER
26.05.2017

%

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.315/2014, under Sections 354/323/506/34 IPC, registered at Police Station Subzi Mandi, Delhi and all the proceedings emanating therefrom.

Learned counsel for the petitioners has submitted that the marriage between the son of the petitioner No.1 and the respondent No.2 was solemnized on 07.01.2012 as per Muslim rites and customs and out of the said wedlock, a female child, namely Ariba Rajput was born on 24.09.2012. Counsel further submits that thereafter due to temperamental differences, a misunderstanding had arisen between the parties which resulted into registration of the aforesaid FIR. Counsel further submits that after the

registration of the FIR, the near relatives and friends intervened and the dispute has been amicably settled between the parties and the same has been reduced into writing vide settlement deed dated 17.12.2014. Counsel further submits that the said settlement has been acted upon between the parties and all due amounts as per settlement have been paid to the respondent No.2 and nothing remains to be due and paid to her and the marriage of the petitioner No.1 and the respondent No.2 has already been dissolved as per Sheriat law. Counsel further submits that since the matter has been amicably settled between the parties and nothing further remains to be adjudicated between the parties, however, the present FIR is coming as hurdle in the peaceful life of the present petitioners and prays that the FIR in question and all subsequent proceedings may also be quashed.

The respondent No.2/complainant, Smt.Iqra is present in Court today and has been identified by the Investigating Officer, SI Naveen, P.S. Subzi Mandi, Delhi and is also represented by her counsel Mr.Anees Ahmed, Advocate. The respondent No.2/complainant present in person admits that the matter has been amicably settled with the petitioners voluntarily and without any force, pressure or coercion and the same has been reduced into writing vide settlement deed dated 17.12.2014. Respondent No.2 present in person further admits that the said settlement has been acted upon between the parties and all due amounts as per settlement have been paid to her and nothing remains to be due and her marriage with the petitioner No.1 has already been dissolved as per Sheriat law and nothing further remains to be adjudicated between the parties and she has no objection if the aforesaid FIR is quashed.

Looking into the aforesaid facts and circumstances, since the dispute

has been amicably settled between the parties and the same has been reduced into writing vide settlement deed dated 17.12.2014 and the same has been acted upon between the parties and nothing remains to be adjudicated further between the parties and the marriage of the petitioner No.1 and the respondent No.2 has already been dissolved as per Sheriat law, to have peace in the life of the respective families, I deem it appropriate to quash the FIR and all subsequent proceedings arising therefrom.

Consequently, FIR No.315/2014, under Sections 354/323/506/34 IPC, registered at Police Station Subzi Mandi, Delhi and all the proceedings emanating therefrom are hereby quashed qua against the present petitioners too. Parties shall remain bound by the terms of the settlement deed dated 17.12.2014.

The present petition is allowed and disposed of accordingly.

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

I.S.MEHTA, J

MAY 26, 2017
'dc'