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

+ W.P.(CRL) 1634/2017

HAIDER ALI & ANR

..... Petitioners

Through: Mr.M.A. Hashmi, Adv.

versus

THE STATE & ANR

..... Respondents

Through: Ms.Nandita Rao, ASC for State
I.O. S.I. Rekha

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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26.05.2017

This is a petition under Section 482 Cr.P.C. moved by the petitioners for quashing of FIR No.374/2016, under Sections 354/354B/34 IPC, registered at P.S. Mayur Vihar, Phase-I and all the subsequent proceedings emanating therefrom.

Learned counsel for the petitioners submits that the present FIR has arisen out of an matrimonial dispute. He further submits that the marriage between the petitioner No.1 and the respondent No.2/complainant was solemnized on 01.05.2016 as per Muslim rites and customs. Counsel further submits that subsequently misunderstanding between the parties has arisen, which resulted into the registration of aforesaid 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 and that their marriage has been dissolved as per Sheriat Law. He also submits that nothing remains to be adjudicated upon further. He also submits that the FIR in question is

coming as hurdle in the way of the present petitioners. 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 Court today and has been identified by the Investigating Officer, S.I. Rekha. The complainant submits that the matter has been amicably settled with the petitioners 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 as per Sheriat Law 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 as per Sheriat Law, it is in their interest to lead their independent and peaceful life in future.

Consequently, the FIR No.374/2016, under Sections 354/354B/34 IPC, registered at P.S. Mayur Vihar, Phase-I 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

MAY 26, 2017/km