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

+ **W.P.(CRL) 2406/2017**

ABDUL HAMEED & ORS

..... Petitioners

Through: Mr. Imran Khan, Advocate along
with petitioners in person.

versus

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

Through: Ms.Kamna Vohra, ASC for the
State with SI Rishi Sharma, PS Jamia Nagar,
Delhi.

Respondent no. 2 in person.

CORAM:

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

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25.08.2017

Crl.M.A. 13746/2017 (delay in re-filing)

This is an application for condonation of 10 days' delay in re-filing the petition. For the reasons explained, the delay in re-filing the petition is condoned.

The application is disposed of.

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1. Notice. Learned ASC for the State, who appears on an advance copy, accepts the notice.
2. Notice to respondent No.2 also. She is present and accepts the notice. She is duly identified by the IO SI Rishi Sharma.

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.162/2016, registered on 29.02.2016 with Police Station Jamia Nagar, Delhi, under Sections 323/341/498A/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 20.09.2014 as per Muslim rites and customs. Out of this wedlock, one female child namely Mariyam was born in the month of January, 2016.
5. 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 and started living with her parents.
6. The petitioner no. 2 is the mother of petitioner no.1, petitioner no. 3 is the brother of petitioner no.1, petitioner no. 4 is the sister of petitioner no. 1, petitioner no. 5 is the sister of mother of petitioner no. 1, petitioner no. 6 is the daughter of petitioner no. 5, petitioner no. 7 is the son of petitioner no. 5, petitioner no. 8 is the maternal uncle of petitioner no.1, petitioner no. 9 is the wife of petitioner no. 8, petitioner no. 10, 11 and 12 are the daughters of petitioner no. 8.
7. The respondent No.2 filed a complaint, which culminated into the said FIR against the petitioners.
8. However, the parties have amicably resolved and settled all

their disputes. The respondent no. 2 submits that she has amicably settled all the disputes with the petitioners without any force or coercion. She submits that she has been residing with the petitioner no. 1 peacefully. The petitioner no. 1 and the respondent no. 2 submit that they do not have any problem with each other. She submits that she does not want to pursue with the said FIR. She submits that the said FIR may be quashed.

9. Learned ASC through the IO submits that the charge sheet in the matter has so far not been filed.
10. The parties have amicably settled their all disputes and no purpose would be served in further pursuing with the said FIR. Hence, to secure ends of justice, the FIR bearing No.162/2016, registered on 29.02.2016 with Police Station Jamia Nagar, Delhi, under Sections 323/341/498A/406/34 IPC and proceedings arising out of the same are hereby quashed.
11. The petition is disposed of accordingly.
12. Order *dasti*

AUGUST 25, 2017
"shailendra"

VINOD GOEL, J.