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

+ **CRL.M.C. 4698/2016**

ASLAM & ORS

..... Petitioners

Represented by: Mr. S.B. Prabhakar, Advocate
with petitioners in person.

versus

STATE & ANR

..... Respondents

Represented by: Mr. Ravi Nayak, APP for the
State with SI Vikas Kumar, PS
Binda Pur.
Respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

11.05.2017

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By the present petition the petitioners seek quashing of FIR No. 406/2012 under Sections 498A/406/34 IPC registered at PS Binda Pur, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned APP for the State on instructions from the Investigating Officer submits that in the above noted FIR the three petitioners are the only accused and the respondent No.2 the only complainant/victim.

The complainant/Respondent No. 2, who is present in Court and is identified by the Investigating Officer states that she has settled the matter with the petitioners before the Mediation Centre, Dwarka Courts on 1st April, 2015, copy whereof is annexed as Annexure –P3 at pages 26-29 of the paper book. She states that talaq has already been pronounced between the

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petitioner No.1 and the respondent No.2. In terms of the settlement respondent No.2 has received a total sum of ₹1.50 lakhs for full and final settlement of all the claims, that is, mehar amount, iddat, streedhan, permanent alimony, dowry articles. Respondent No.2 states that now she has no claims whatsoever remaining against the petitioner No.1. She further states that in terms of the settlement the two minor children baby Zannat and Master Mohd. Sameer, born out of the wedlock will remain in the care and custody of the respondent No.2 and the petitioners will neither have the custody nor the visitation rights of the child and she will abide by the terms of the settlement. She also states that she does not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

Petitioners who are present in Court and are identified by learned counsel affirm the statement of respondent No.2 and state that they will abide by the terms of the settlement arrived at between the parties before the Mediation Centre, Dwarka Courts on 1st April, 2015.

In view of the fact that the parties have amicably resolved their differences of their own free will, volition and without any coercion and no useful purpose will be served in continuance of the proceedings, rather the same would create further acrimony between them, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

Consequently, FIR No. 406/2012 under Sections 498A/406/34 IPC registered at PS Binda Pur, Delhi and proceedings pursuant thereto are hereby quashed.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

The petition is disposed of. Order dasti.

MUKTA GUPTA, J.

MAY 11, 2017

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