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

+ **CRL.M.C. 4899/2016**

ANSARI MOHD.AHMED & ORS.

..... Petitioner

Represented by: Mr. Neeraj Sharma, Adv.

versus

STATE (GOVT. OF NCT OF DELHI) & ORS.

..... Respondent

Represented by: Ms. Rajni Gupta, APP with
Insp. Uma Dutt, PS Mangol
Puri.
Mohd. Furqan, Adv. for R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

27.04.2017

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By the present petition the petitioners seek quashing of FIR No. 598/2007 under Sections 498A/406/34 IPC registered at PS Mangol Puri, 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 Investigating Officer submits that though initially five accused were arrayed in the FIR and charge-sheeted, however father of petitioner No.1 i.e. Makbul has since passed away on 29th November, 2015 and thus the four petitioners are the only accused facing trial and respondent No.2 the only complainant/ victim in the above-noted FIR.

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Respondent No. 2 is present in Court and is identified by the learned counsel and the Investigating Officer. She states that she has settled the matter with the petitioners before the Delhi Mediation Centre, Rohini District Courts on 5th January, 2016 pursuant where to Talakh has been pronounced between the petitioner No.1 and respondent No.2. In lieu of all her claims of maintenance, istridhan, alimony, mehar, etc., the respondent No.2 was to receive a total amount of ₹2 lakhs out of which she has already received ₹1 lakh and the balance amount of ₹1 lakh has been received by her today in Court by way of demand draft No. '612808' drawn on Punjab National Bank. She states that as per the settlement between the parties the two minor daughters namely Salista Bano and Adiba Bano born from the wedlock will remain in her care and custody and the petitioner No.1 will not claim their custody. He can however visit the two minor daughters subject to the convenience of respondent No.2 and the two daughters. She further states that she will abide by the terms of settlement arrived at between the parties and does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2 and undertake to abide by the terms of settlement arrived at between the parties on 5th January, 2016 before the Delhi Mediation Centre, Rohini District Courts copy whereof is annexed as Annexure A-6 at pages 70 to 71 of the paper book.

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

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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. 598/2007 under Sections 498A/406/34 IPC registered at PS Mangol Puri, Delhi and proceedings pursuant thereto are hereby quashed.

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

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

APRIL 27, 2017
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