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

+ **W.P.(CRL) 3097/2017**

RASHID & ORS

..... Petitioners

Through: Ms.K.B.Hina, Advocate with
Petitioners in person

versus

THE STATE & ANR

..... Respondents

Through: Ms.Sirlina Roy, Advocate for
Ms.Nandita Rao, ASC for the State
with Prempal Singh, SP Bhajanpura
Respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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06.12.2017

CRL.M.A. 20134/2017

1. Exemption allowed, subject to all just exceptions.
2. The application is disposed of.

W.P.(CRL) 3097/2017

1. By way of this petition filed under Article 226 of the Constitution of India, read with Section 482 Cr.P.C., the petitioner is seeking quashing of the FIR No.0913/2014, under Sections 498-A/406/34 IPC, registered at PS Bhajanpura.
2. Notice. Learned counsel as above appearing on behalf of the State accepts notice.
3. Briefly stating the facts of the present petition, the marriage between petitioner No.1 and respondent No.2 was solemnized on 31st October, 2012 according to Muslim rites and ceremonies. Due to irreconcilable

incompatibility between the parties they were not living together happily which resulted in irretrievable break down of the marriage. The respondent No.2 started living with her parents from 3rd April 2013. She also lodged the FIR No.913/2014 against the petitioners under Section 498-A/406/34 IPC at PS Bhajanpura, Delhi.

3. During the pendency of the proceedings the matter was referred to the Principal Counselor where the petitioners and the respondent No.2 settled all their disputes vide settlement deed dated 12th April, 2017. Copy of the settlement is annexed as Annexure-P-2 (colly).

4. As per the settlement deed the petitioner No.1 had agreed to pay ₹2,10,000/- to the respondent No.2/complainant towards full and final settlement – istridhan, dowry articles, past, present and future maintenance, iddat allowance and mehar.

5. Learned counsel for the petitioners submit that as per the settlement deed the payment towards the full and final settlement has been made to the respondent No.2/complainant. Hence, no useful purpose would be served by keeping the criminal proceedings pending. He requests that the FIR and the proceedings emanating therefrom may be quashed.

6. Respondent No.2 is present in the Court today and confirms the factum of amicable settlement with the petitioners. She confirms that she has received the payment towards the full and final settlement. She submits that she does not wish to continue criminal proceedings against the petitioners and has no objection if the FIR in question and all consequent proceedings arising therefrom are quashed.

7. In view of the aforesaid amicable settlement/agreement arrived at between the parties, I am of the considered view that no useful purpose

would be served by continuing with the FIR/criminal proceedings against the petitioners, which will only be an exercise in futility and wastage of precious time of the Court.

8. Accordingly, the petition is allowed and FIR No.0913/2014, under Sections 498-A/406/34 IPC, registered at PS Bhajanpura and all the proceedings arising therefrom are hereby quashed.

Order *dasti*.

PRATIBHA RANI, J.

DECEMBER 06, 2017

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