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

+ **W.P.(CRL) 209/2018**

BILAL QURESHI

..... Petitioner

Represented by: **Mr. Vishal Sharma, Advocate.**

versus

STATE & ANR

..... Respondent

Represented by: **Mr. Piyush Singhal for Mr. Ashish Aggarwal, ASC for State with SI Dinesh kumar, PS Kamla Market. Mr. V.K. Malhotra, Advocate for R-2 with respondent No. 2 in person.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

16.02.2018

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By the present petition the petitioner seeks quashing of FIR No. 454/2015 under Section 323/341/34 IPC registered at PS Kamla Market, Delhi on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned proxy counsel for learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR the three petitioners mentioned in the amended memo of parties filed today are the only accused and the respondent No. 2 is the only complainant/victim.

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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 was married to the petitioner No. 1 however differences arose between the parties and the marriage broke down irretrievably. She further states that she has settled the matter with the petitioners and in lieu of all her claims that is maintenance, stridhan, alimony, iddat and mehar etc, the petitioner No. 1 has handed over a sum of ₹9.50 lacs and she has now no claim whatsoever against the petitioner No. 1. She further states that the minor daughter name Shidra born from the wedlock of petitioner No. 1 and respondent No. 2 would stay in the care and custody of the petitioner No. 1 and the respondent No. 2 would be entitled to visitation rights as per the settlement once every week. She further states that she does not wish to pursue the above noted FIR and the proceedings pursuant thereto against the three petitioners. She further states that she has already withdrawn the cases filed by her against the petitioners.

The 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 the settlement. Petitioner No. 1 further states that he will bear all the responsibilities of the minor daughter who would remain in his care and custody but would ensure that respondent No. 2 is given appropriate visiting rights once in every week.

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, , it would be in the interest of justice to quash the abovementioned FIR and the

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proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

Without commenting on the legality of the divorce between petitioner No. 1 and respondent No. 2, FIR No. 454/2015 under Section 323/341/34 IPC registered at PS Kamla Market, 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.

FEBRUARY 16, 2018
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