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

+ **W.P.(CRL) 146/2018**

MOHD.AJMAL KHAN & ORS

..... Petitioners

Represented by: Mr. Adnan Ahmad, Azaz
Ahmad and Mr. Ghanshyam
Singh, Advocates with
petitioners in person.

versus

THE STATE & ANR

..... Respondents

Represented by: Mr. Piyush Singhal, Advocate
for Mr. Ashish Aggarwal,
Additional Standing Counsel
for State with SI Sombir, PS
Seemapuri.
Mr. Ravinder Kumar Sharma,
Mr. Aziz Ullah, Mr.
Summinder and Mr.V.P. Singh,
Advocates for respondent No. 2
with respondent No. 2 in
person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

17.01.2018

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By the present petition the petitioners seek quashing of FIR No. 178/2017 under Sections 498A/406/34 IPC and Sections 3 and 4 of the Dowry Prohibition Act registered at PS Seemapuri, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

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Learned proxy counsel for the learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR the seven petitioners are the only accused and the respondent No.2 is the only complainant/ victim.

Respondent No. 2 who is present in Court and is identified by the learned counsel and Investigating Officer states that she has settled the matter with the Petitioners before the Delhi Mediation Centre, Karkardooma Courts on 5th August, 2017, copy of the order whereof is at pages 57-61 of the paper book. In terms of the settlement Talaq has been pronounced between petitioner No.1 and respondent No.2/complainant. As full and final settlement of all the claims, that is, maintenance, streedhan, mehar, iddat and alimony etc. of the Respondent No. 2 the petitioner No.1 has to pay a sum of ₹ 7 lakhs out of which she has received a sum of ₹5 lakhs and the balance amount of ₹2 lakhs has been paid to her today in Court vide Demand Draft no.005039 dated 12th January, 2018 drawn on IDBI Bank, Amroha, Uttar Pradesh. She further states now she has no claim whatsoever remaining against the petitioners. In terms of the settlement she does not want to pursue the abovementioned FIR and the proceedings pursuant thereto she will abide by the terms of settlement.

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 before the Delhi Mediation Centre, Karkardooma Courts on 5th August, 2017.

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. 178/2017 under Sections 498A/406/34 IPC and Sections 3 and 4 of the Dowry Prohibition Act registered at PS Seemapuri, Delhi and proceedings pursuant thereto are hereby quashed against all the accused.

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

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

JANUARY 17, 2018
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