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

+ **W.P.(CRL) 1638/2018**

MOHD. HASHIM ANSARI & ORS

..... Petitioners

Represented by: Mr.Amit Kumar, Advocate
with petitioners in person.

versus

THE STATE (GOVT OF NCT OF DELHI) & ANR..... Respondents

Represented by: Mr. Piyush Singhal, Advocate
for Mr. Ashish Aggarwal,
Additional Standing Counsel
for State with ASI Yash Pal
Singh, PS New Usmanpur.
Mr. Deepak Kumar, Advocate
for respondent No.2 with
respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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24.05.2018

Crl. M.A. No. 10166/2018 (Exemption)

Allowed, subject to all just exceptions.

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By the present petition the petitioners seek quashing of FIR No.809/2017 under Sections 498A/406/34 IPC and Section 4 of Dowry Prohibition Act, 1961 registered at PS New Usmanpur, 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 learned Additional Standing Counsel for the State on instructions from the Investigating Officer submits that in the above noted FIR the four 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 vide Settlement Deed dated 20th April, 2018, which is also the talaqnama between the petitioner No.1 and respondent No.2, copy whereof is annexed as Anenxure-P6 to the present petition. As full and final settlement of all the claims, that is, maintenance, streedhan, alimony, mehar and iddat etc. of the Respondent No. 2, the Petitioner No.1 has to pay a sum of ₹1 lakh to respondent No.2 out of which she has already received a sum of ₹50,000/- and the balance amount of ₹50,000/- has been received by her today in Court vide Cheque bearing No. 055196 dated 24th May, 2018 drawn on State Bank of India, Seelampur, Delhi. She further states that from the wedlock a child namely Aaliya was born who will remain in her care and custody. Respondent No. 2 states that 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.

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.

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.809/2017 under Sections 498A/406/34 IPC and Section 4 of Dowry Prohibition Act, 1961 registered at PS New Usmanpur, 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.

MAY 24, 2018
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