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

+ **W.P.(CRL) 2361/2018**

SOINUDEEN & ORS

..... Petitioners

Represented by: Mr.Ashish Rohilla, Mr.Umashankar
Vats and Mr.Shekhar Gehlot,
Advocates

versus

THE STATE & ANR

..... Respondents

Represented by: Mr.Rajesh Mahajan, ASC for the
State with Ms.Jyoti Babbar, Advocate
with ASI Suresh Kumar, PS Chhawla
Mr. S.P. Sagar, Advocate for
respondent No.2 with respondent
No.2 in person

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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09.08.2018

CrI.M.A.No.29629/2018

Allowed subject to just exceptions.

W.P.(CrI.) No.2361/2018

1. By this petition, the petitioners seek quashing of FIR No.09/2018 under Sections 498A/406/34 IPC registered at PS Chhawla on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

2. Learned Additional Standing Counsel for the State on instructions submits that in the above noted FIR the four petitioners are the only accused and the respondent No.2 is the only complainant/victim.

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3. Respondent No. 2 who is present in Court and is identified by the learned counsel and the Investigating Officer states that she has settled the matter with the petitioners before the Counselling Cell, Family Courts, Dwarka. In terms of the settlement the petitioner No.1 and respondent No.2/complainant have taken divorce as per muslim rights and customs. 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 ₹8 lakhs to respondent No.2 out of which she has already received a sum of ₹6 lakhs and the balance amount of ₹2 lakhs has been received by her today in Court vide Demand Draft No.001737 drawn on HDFC Bank. She further states that baby Zeenat born out from the wedlock will remain in her care and custody and petitioners would neither have the custody nor the visiting rights. She further 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.

4. 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.

5. 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.

6. Consequently, FIR No. 09/2018 under Sections 498A/406/34 IPC registered at PS Chhawla and proceedings pursuant thereto are hereby quashed.

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

8. Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

AUGUST 09, 2018

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