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

+ **CRL.M.C. 4052/2018**

AFTAB ALAM & ORS.

..... Petitioners

Through: Mr.Chirag Khurana, Adv. with
petitioners in person.

versus

STATE & ANR.

..... Respondents

Through: Mr.Raghuvinder Verma, APP for the
State with SI Rampal Singh, PS Nihal
Vihar.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% 15.11.2018

1. Vide the present petition under Section 482 Cr.P.C., the petitioners seek quashing of FIR No.413/2015 under Section 315 IPC registered at P.S Nihal Vihar, Delhi and all proceedings emanating therefrom, on the basis of a settlement arrived at between the parties.

2. Learned counsel for the petitioners submits that the marriage between the petitioner no.1 and the respondent no.2 was solemnised on 18.05.2015 as per Muslim rites and ceremonies. She submits that soon thereafter, the respondent no.2 became pregnant but had a miscarriage and due to a misunderstanding, a complaint was lodged by her against the petitioners alleging therein that she was forced to undergo abortion, leading to the registration of the aforesaid FIR.

3. Learned counsel for the petitioners submits that subsequently, the parties have resolved their disputes and the respondent no.2 has since been residing happily with all the petitioners in a joint family and has also been blessed with a son. He, therefore, prays that the aforesaid FIR and all consequential proceedings emanating therefrom be quashed.

5. The petitioners as also the respondent no.2 are present in Court and have been identified by the Investigating Officer. I have also interacted with the respondent no.2, who states that she has resolved her differences with the petitioners of her own free will and without any coercion and is now happily residing with them. She submits that the aforesaid complaint had been lodged by her upon being misguided by her neighbours. She further submits that she does not want the aforesaid criminal proceedings to continue any further as it will hamper her peaceful matrimonial life.

6. I have considered the submissions of the learned counsel for the parties and perused the record. Keeping in view the fact that the FIR emanates from a family dispute which already stands resolved as also the fact that the petitioner no.1 and respondent no. 2 are now residing together and living a happy married life and have also been blessed with a son, no useful purpose will be served in continuing the criminal proceedings. In my view, the ends of justice demand that the FIR and consequential proceedings be quashed.

7. Accordingly, the petition is allowed and the captioned FIR and all consequential proceedings are quashed, subject to the petitioners depositing a sum of Rs.10,000/- with the Delhi High Court Staff Welfare Fund within three days from today. A copy of the receipt of

deposit of costs will be handed over to the Investigating Officer for production before the learned Trial Court.

8. The petition is disposed of in the above terms.

REKHA PALLI, J

NOVEMBER 15, 2018

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