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

+ CRL.M.C. 4757/2018 & CrI.M.A. 32359/2018

ABID @ AABID KHAN & ORS

..... Petitioners

Through Mr.P.P. Singh, Adv. with petitioners
in person.

versus

STATE OF NCT DELHI & ANR

..... Respondents

Through Mr.Mukesh Kumar, APP for the
State.
SI Vipin Teotia, PS Kalyan Puri.
Respondent no.2 in person.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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07.12.2018

1. Vide the present petition under Section 482 Cr.P.C., the petitioners seek quashing of FIR No.376/2011 u/s 406/34 of the IPC and u/s 4/3 of the Dowry Prohibition Act, 1961 registered at PS Kalyan Puri, East Delhi and the proceedings emanating therefrom, on the basis of a settlement arrived at before the Delhi Mediation Centre, Karkardooma Courts, Delhi on 17th February, 2016.
2. Learned counsel for the petitioners submits that the respondent no.2 came in touch with the petitioners when he was looking for a suitable match for his daughter, namely Fatime@Sonu. Although the parties had initially agreed to move forward with the matrimonial alliance between the petitioner no.1 and respondent no.2's daughter,

the same could not fructify into a marriage because of some misunderstanding which arose between the parties at a subsequent stage. As a result thereof, the respondent no.2 made a complaint against the petitioners leading to the registration of the aforesaid FIR.

3. Learned counsel for the petitioners further submits that during the pendency of the trial, the parties arrived at a settlement before the Delhi Mediation Centre, Karkardooma Courts, Delhi on 17th February, 2016. Pursuant thereto, the petitioners have already paid the agreed sum of Rs.45,000/- to the respondent no.2, which is the amount stated to have been spent by the respondent no.2 in the ceremonies. He submits that the petitioners are willing to pay any further costs that may be directed by this Court and, therefore, prays that the FIR and all consequential proceedings be quashed.

4. The petitioners as also the respondent no.2 are present in Court and have been identified by the Investigating Officer. I have interacted with the respondent no.2 who states that he has decided to resolve his differences with the petitioners of his own free will and has entered into the aforesaid settlement dated 17th February, 2016 without any coercion. He further states that he has already received the agreed amount of Rs.45,000/- and since his daughter is already married to somebody else, he does not want the aforesaid proceedings to continue as it will not only cause further acrimony with the petitioners but is also likely to affect the happy married life of his daughter.

5. I have considered the submissions of the learned counsel for the parties and perused the record. Keeping in view the fact that the

present FIR emanates out of a misunderstanding between the parties at a time when a matrimonial alliance was being finalized, which dispute now stands amicably resolved between the parties, as also the fact that the respondent no.2 categorically states that his daughter is already happily married and he does not want the proceedings to continue, no useful purpose would be served in continuing with the criminal proceedings. The ends of justice demand that the FIR and consequential proceedings be quashed.

6. Accordingly, the petition is allowed and the captioned FIR and consequential proceedings are quashed subject to the petitioners paying a sum of Rs.20,000/- as costs to the Delhi High Court Bar Association Employees Welfare Fund within two weeks. A copy of the receipt of payment of costs will be handed over to the Investigating Officer for production before the Trial Court.

7. The petition alongwith the pending application is disposed of in the above terms.

REKHA PALLI, J

DECEMBER 07, 2018/aa