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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 4642/2017
SALMAN KHAN Petitioner
Through: Mr. Ashish Gosain, Adv.

versus

NCT OF DELHI & ANR Respondent
Through: Mr. Mr. Kamal Kumar Ghei, APP for
State with ASI Rajender, PS Geeta
Colony.
R-2 in person.

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

14.03.2018

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No notice is indicated to have been issued to the respondent no.2 for want of PF. Learned counsel for the petitioner submits that non-opposition of the respondent no.2 in support of the averments made in the petition is on the record in the form of an affidavit of the respondent no.2 filed on 11.01.2018.

The Investigating Officer of the case present today in Court has identified the petitioner Shri Salman Khan as being the sole accused arrayed in FIR No. 294/2017, registered at PS Geeta Colony, under Sections 2 & 4 of the Dowry Prohibition Act, 1961 and also identified the respondent no.2 Shri Israar Ahmed today in Court as being the complainant thereof. The proofs of identity of the petitioner and of the respondent no. 2 in the form of photocopies of their Aadhar Cards are on the record as Ex. CW1/A to Ex. CW1/B respectively, originals of which have been seen and returned.

Vide the present petition, the petitioner seeks quashing of FIR No.

294/2017, registered at PS Geeta Colony, under Sections 2 & 4 of the Dowry Prohibition Act, 1961 in relation to which it has been submitted by the petitioner that during the solemnization of the Nikah ceremony on 08.07.2017 between the petitioner and the respondent no.2's daughter, a civil dispute had been arisen on account of negotiations of the amount of dowry between the parties, pursuant to which the FIR in question was registered by the respondent no.2 but that a settlement has since been arrived at between the parties on 06.09.2017 vide the compromise deed as Ex. CW2/A on the record, of which the respondent no.2 present in Court, as identified by the Investigating Officer, has affirmed his signatures thereon and stated that he has arrived at a settlement with the petitioner voluntarily of his own accord without any duress or coercion from any quarter and further stated that pursuant to the said settlement, he has received a sum of Rs. 50,000/- from the petitioner.

In reply to a specific Court query, the respondent no.2 has also stated that his daughter Ms. Sana Naaz was to be married to the petitioner previously and was not so married in view of the civil dispute that arose between them, as a consequence of which the FIR had been registered but that has since been married to someone else other than the petitioner and thus he does not oppose the prayer made by the petitioner seeking quashing of FIR in question nor does he want the petitioner to be punished in relation thereto.

Learned APP for the State submits that in the circumstances of the case, there is no opposition to the prayer made by the petitioner seeking quashing of the FIR in question.

In view of the deposition of the respondent no.2, there being no reason to disbelieve his statement that he has arrived at settlement with the

petitioner statement voluntarily of his own accord without any duress, coercion or pressure from any quarter and the factum that the daughter of the respondent no.2 has already married, no useful purpose would be served in continuation of the present proceedings against the petitioner, it is considered appropriate to put a quietus to the litigation between the parties for maintenance of peace and harmony between the petitioner and the respondent no.2, the FIR No. 294/2017, registered at PS Geeta Colony, under Sections 2 & 4 of the Dowry Prohibition Act, 1961 and all the consequential proceedings emanating therefrom against the petitioner are quashed.

ANU MALHOTRA, J

MARCH 14, 2018

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CRL.M.C. 4642/2017

SALMAN KHAN

Vs. NCT OF DELHI & ANR.

Statement of CW1 : ASI Rajender Singh, PS Geeta Colony, Delhi.

ON S.A.

I identify the petitioner Shri Salman Khan as being the sole accused arrayed in FIR No. 294/2017, registered at PS Geeta Colony, under Sections 2 & 4 of the Dowry Prohibition Act, 1961. I also identify the respondent no.2 Shri Israar Ahmed today in Court as being the complainant thereof. The proofs of identity of the petitioner and of the respondent no. 2 in the form of photocopies of their Aadhar Cards are on the record as Ex. CW1/A to Ex. CW1/B respectively. (Originals seen and returned.)

There is no other person arrayed as accused in the said FIR.

ANU MALHOTRA, J

RO & AC

MARCH 14, 2018

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CRL.M.C. 4642/2017

SALMAN KHAN

Vs. NCT OF DELHI & ANR.

**Statement of CW2 : Shri Israar Ahmed, s/o Shri Nanne, aged 60 years,
r/o 2815, Gali No.8, Chander Puri, Kailash Nagar, Delhi-110031**

ON S.A.

I do not oppose the prayer made by the petitioner seeking quashing of the FIR No. 294/2017, registered at PS Geeta Colony, under Sections 2 & 4 of the Dowry Prohibition Act, 1961 in view of the compromise deed dated 06.09.2017 executed between me and the petitioner, copy of which is on the record as Ex. CW2/A which bears my signature thereon at points-A on the same.

Pursuant to the settlement arrived at between me and the petitioner, a sum of Rs. 50,000/- has been paid to me by the petitioner and my daughter Ms. Sana Naaz has since already married to someone else other than the petitioner.

My affidavit dated 26.12.2017 in support of the averments made in the petition bears my signature thereon at points-A & B on Ex.CW2/B, which I have signed voluntarily of my own accord without any duress, pressure or coercion from any quarter.

I am an uneducated and used to work as a labourer.

I have made this statement voluntarily of my own accord without any duress, pressure or coercion from any quarter.

ANU MALHOTRA, J

RO & AC

MARCH 14, 2018