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

+ **W.P.(CRL) 3489/2017**

AFZAL AHMED & ORS

..... Petitioner

Represented by: Mr. Z.U. Islam, Adv.

versus

THE STATE GOVT OF NCT OF DELHI & ANR

..... Respondent

Represented by: Mr. Jamal Akhtar, proxy Adv.
for Mr. Rahul Mehra, Standing
Counsel for State with SI
Mohd. Inam PS Jama Masjid.
Mr. Sanobar Ali, Adv. for R-2
with R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

22.03.2018

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By the present petition the petitioners seek quashing of FIR No. 87/2016 under Sections 498A/406/34 IPC registered at PS Jama Masjid, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned proxy counsel for the learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR the 8 petitioners are the only accused and respondent No.2 the only complainant/ victim.

W.P.(CRL) 3489/2017

page 1 of 3

Respondent No. 2 is present in Court and is identified by the learned counsel and the Investigating Officer. She states that she has entered into a holistic settlement with the petitioners before the Delhi Mediation Centre, Tis Hazari Courts on 27th January, 2018. In terms of the settlement the respondent No.2 has already received a sum of ₹2 lakhs and the balance amount of ₹2 lakhs by way of two drafts for ₹1 lakh each [i.e. draft No.159249 drawn on Indian Bank and Bankers cheque No.255444 drawn on State Bank of India] besides cash of ₹55,000/- in lieu of her mehar and iddat amount has also been received. She states that she has now no claim whatsoever against the petitioners. She further states that she does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

All the petitioners were present before this Court on 4th January, 2018, however dispute arose regarding the mehar and iddat amount, thus the matter was referred to the Delhi Mediation Centre again when a holistic settlement has taken place. Vide order dated 4th January, 2018 this Court had exempted the personal appearance of all the petitioners except petitioner No.1. Petitioner No.1 and 3 are present in Court and are identified by the learned counsel. They affirm the statement of respondent No.2 and undertake to abide by the terms of settlement.

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. 87/2016 under Sections 498A/406/34 IPC registered at PS Jama Masjid, 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.

MARCH 22, 2018

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