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

+ **W.P.(CRL) 3609/2017**

AZHAR ALI & ORS

..... Petitioner

Represented by: Mr. S.K. Dayal, Adv.

versus

STASTE (GOVT OF NCT OF DELHI) & ANR

..... Respondent

Represented by: Ms. Richa Kapoor, ASC with
SI Mohd. Faizan Ghani PS
Ghazipur.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
09.02.2018

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By the present petition the petitioners seek quashing of FIR No. 974/2015 under Sections 498A/406/34 IPC registered at PS Ghazipur, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR 5 accused were named in the FIR, however charge-sheet has been filed only against petitioner Nos. 1 to 4. She further states that the respondent No.2 is the only complainant/ victim.

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Respondent No. 2 is present in Court and is identified by the Investigating Officer. She states that she has settled the matter with the Petitioners before the Counselling Cell, Family Court, Karkardooma Court on 14th February, 2017 copy whereof is annexed as Annexure B to the present petition. Pursuant to the settlement Talakh has been pronounced between the petitioner No.1 and respondent No.2 In lieu of all her claims of maintenance, istridhan, alimony, mehar, dower, etc., the respondent No.2 were to receive a sum of ₹1,75,000/- out of which she has already received ₹50,000/- and the balance amount of ₹ 1,25,000/- has been received by her today in Court in cash. She further states that she will abide by the terms of settlement and does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

The 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.

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, without commenting on the validity of the Talakh performed between the petitioner No.1 and respondent No.2, FIR No. 974/2015 under Sections 498A/406/34 IPC registered at PS Ghazipur, Delhi
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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

FEBRUARY 09, 2018
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