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

+ CRL.M.C. 6401/2018

AAVEZ @ SALMAN

..... Petitioner

Through: Mr. Vimal Puggal & Mr. Nasir
Ali, Advocates

versus

STATE & ANR.

.... Respondents

Through: Mr. Panna Lal Sharma, APP
with SI Jatan Swarup,
PS:Krishna Nagar, Delhi

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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19.12.2018

1. The petitioner has moved the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.556/2016, under Sections 498-A/34 of the Indian Penal Code, 1860 ('IPC'), registered at PS: Krishna Nagar, Delhi and the proceedings emanating therefrom.

2. The petitioner and respondent No.2 as well as learned counsel for the petitioner submitted that the parties have settled their disputes, on their own free will, without any force, pressure or coercion, vide *Talaknama/Samjhotanama* (Settlement) dated 3.12.2018, in terms whereof the marriage between the petitioner and respondent No.2 stands dissolved as per valid *shariyat* laws. Learned counsel for the petitioner and respondent No.2 further submitted that the petitioner is ready

and willing to pay a sum of Rs.1,75,000/- in full and final settlement against the *stridhan*, dowry articles, *iddat* allowance, *mehr*, past, present and future maintenance today in this Court, which are required for quashing of the FIR.

3. The Investigating Officer ('IO'), who is present in Court, has identified the petitioner as well as respondent No.2 and has also verified the Settlement arrived at between the parties.

4. Respondent No.2, who is present in Court, submitted that the marriage between the parties has been dissolved by way of valid *shariyat* laws and to this effect they have filed a divorce deed to declare the same. She further reiterated and submitted that the Settlement has been effected on her own free will, without any force, pressure or coercion and does not want to pursue the criminal proceedings. She further submitted that she is to receive a sum of Rs.1,75,000/- in full and final settlement against the *stridhan*, dowry articles, *iddat* allowance, *mehr*, past, present and future maintenance and in case the said payment is made by the petitioner, she has no objection to the petition being allowed and the quashing of the FIR.

5. Learned counsel for the petitioner submitted that the petitioner has brought in Court a demand draft, bearing No.009849, dated 18.12.2018, drawn on AXIS Bank, for a sum of Rs.1,75,000/-, which has been handed over to the respondent No.2.

6. In view of the aforesaid circumstances, the Settlement arrived at between the parties and the balance payment of Rs.1,75,000/- received today in Court by the respondent No.2 by way of a demand draft, this Court is of the view that no fruitful purpose would be served in keeping the parties entangled in the criminal proceedings. Accordingly, in the interest of justice, FIR No. 556/2016, under Sections 498-A/34 of the Indian Penal Code, 1860 ('IPC'), registered at PS: Krishna Nagar, Delhi and the proceedings emanating therefrom are quashed.

7. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

DECEMBER 19, 2018

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