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

Date of decision: 12.12.2019

+ CRL.M.C. 6405/2019

SAJID KHAN & ORS.

Through

..... Petitioners
Mr. Ankit Tandon, Mr. Rajiv Ranjan
with Ms. Hernisha Tandon, Advs.

versus

STATE & ANR.

Through

..... Respondents
Mr. Izhar Ahmad, APP for State.
Mr. Mahender Pal, PS New
Usmanpur
Ms. Pratibha Shukla, Adv. for R-2

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

J U D G M E N T (ORAL)

CRL.M.A. 42510-11/2019

1. Allowed, subject to all just exceptions.
2. Application is disposed of.

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3. Vide the present petition, the petitioners seek quashing of FIR No. 1454/2015 dated 31.12.2015 registered at Police Station New Usmanpur and consequent proceedings arising therefrom.

4. Notice issued.

5. Notice is accepted by learned APP for the State and counsel for the respondent no.2 and with the consent of the counsel for the parties, the present petition is taken up for final disposal.

6. The marriage of deceased Ashif @ Amit and respondent no.2 was solemnized on 18.03.2009 as per Hindu rites and rituals. It was the second marriage of respondent no.2 and her first husband namely Mr. Deepak Sharma had expired and from her first marriage, she had three children. The custody of her children is with respondent no. 2 only. However, no issue was born out of her second marriage.

7. The petitioners and respondent no.2 with the intervention of their well wishers and relatives entered into an amicable settlement before the Mediation Centre, Karkardooma Courts, vide order dated 17.07.2019 and settled all their disputes amicably.

8. The total settlement amount is ₹1,00,000/-(Rupees One Lakh only). It is submitted that the respondent no. 2 has already received an amount of ₹50,000/- (Rupees Fifty Thousand only). For the balance amount of ₹50,000/- (Rupees Fifty Thousand only) is handed over to the respondent no. 2 in cash today in the Court.

9. The complainant is present in person with her counsel and has been identified by SI Mahender Pal of Police Station New Usmanpur and submits that matter has been settled and she does not wish to prosecute the matter any further.

10. Taking into account the aforesaid facts, this Court is inclined to quash the FIR as no useful purpose would be served in prosecuting the petitioners any further.

11. For the reasons afore-recorded, FIR No. 1454/2015 dated 31.12.2015 registered at Police Station New Usmanpur and consequent proceedings emanating therefrom are quashed.

12. The petition is allowed accordingly.

13. Order *dasti*

(SURESH KUMAR KAIT)
JUDGE

DECEMBER 12, 2019

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