

\$~4

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

CRL.M.C. 4905/2019

MOHD. MUMTAZ & ORS

..... Petitioners

Through: Mr. S.K. Mittal & Mr. H.S.
Sachdeva, Advocates

versus

THE STATE & ANR

..... Respondents

Through: Mr. Ashok Kumar Garg, APP
with SI Sonu Ram, PS:Aman
Vihar, Delhi

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

%

12.12.2019

CRL.M.A.36961/2019 (for exemption)

Allowed, subject to all just exceptions. Application stands disposed of.

CRL.M.C.4905/2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.1492/2014, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Aman Vihar, Delhi and the proceedings emanating therefrom.

2. The petitioners and their counsel as well as respondent No.2 submitted that the parties have settled their disputes on their own free will, without any force or coercion vide Settlement/Agreement before the Delhi Mediation Centre,

Rohini District Courts, Delhi on 24.7.2018, in terms whereof petitioner No.1 had agreed to pay Rs.4,00,000/- to the respondent No.2. It is further submitted that out of Rs.4,00,000/-, an amount of Rs.3,00,000/- has already been paid to respondent No.2. It is also submitted that the marriage between the petitioner No.1 and respondent No.2 has been annulled vide *Fatwa* dated 9.4.2016.

3. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that she has no objection to the petition being allowed and the FIR being quashed in case the petitioners pay the balance amount of Rs.1,00,000/- to her, which is required to be paid as per the settlement arrived at between the parties.

4. Learned counsel for the petitioners submitted that the petitioners have brought a demand draft bearing No.974877, dated 10.12.2019, drawn on Kotak Bank, for an amount of Rs.1,00,000/-, which has been handed over to the respondent No.2 today in the Court.

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

6. In view of the aforesaid circumstances, the settlement arrived at between the parties and the dissolution of marriage, 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. 1492/2014, under Sections 498-A/406/34 of the IPC, registered at P.S.: Aman Vihar, Delhi and the proceedings emanating therefrom are quashed.

7. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

DECEMBER 12, 2019

tp