

\$~40

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

+ **CRL.M.C. 898/2019 & CrI.M.A.3573/2019**

AFTAAB & ORS

.... Petitioners

Through: Ms. Aprajita Sharma, Adv.
with the petitioners in person

versus

THE STATE & ANR

.... Respondents

Through: Ms. Aasha Tiwari, APP with
Insp. Vinay Kumar,
ATO/Khajuri Khas, Delhi
R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

%

28.08.2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.1231/2014, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC') and Section 4 of the Dowry Prohibition Act, 1961 ('DP Act'), registered at P.S.: Khajuri Khas, Delhi and the proceedings emanating therefrom.

2. The petitioners and respondent No.2 as well as the learned counsel for the respondent No.2 submitted that the parties have settled their disputes on their own free will, without any force or coercion before the Judge, Family Court, Dist. North East, Karkardooma, Delhi on 3.10.2018. Marriage of the petitioner No.1 and the respondent

No.2 stands dissolved by way of pronouncement of *talaq*, as per Muslim Law.

3. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that the petitioners have to pay the balance amount of Rs.10,000/- to her in terms of the settlement arrived at between the parties. Respondent No.2 further submitted that in case the petitioners make the payment of the balance amount of Rs.10,000/- to her, she has no objection to the petition being allowed and the FIR being quashed.

4. Learned counsel for the petitioners submitted that the petitioner No.1 has paid a sum of Rs.10,000/- in cash to the respondent No.2 today in the Court. Learned counsel for the petitioners submitted that in view of the payment of the balance amount to the respondent No.2, the present petition may be allowed and the FIR may be quashed.

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 and the settlement arrived at between the parties, 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.1231/2014, under Sections 498-A/406/34 of the IPC and Section 4 of the DP Act, registered at P.S.: Khajuri Khas, Delhi and the proceedings emanating therefrom are quashed.

7. Petition is disposed of in above terms. Pending application is also disposed of.

CHANDER SHEKHAR, J

AUGUST 28, 2019/rk