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

\+ CRL.M.C. 1394/2019

ABDUL KALAM & ORS ..... Petitioners

Through: Ms. Tripat Kaur Chawla, Advocate

versus

THE STATE & ANR ..... Respondents

Through: Mr. Kamal Kumar Ghai, APP with Inspector Rajkumar Saha & ASI Suresh, PS: New Usmanpur, Delhi

Mr. A.A. Khan, Advocate for respondent No.2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

O R D E R

% 14.03.2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.148/2017, under Sections 377/498-A/406/ 34 of the Indian Penal Code, 1860 ('IPC') and Section 4 of Dowry Prohibition Act, 1961 (DP Act), registered at P.S.: New Usmanpur, Delhi and the proceedings emanating therefrom.

2. The petitioners and respondent No.2 as well as their respective counsel submitted that the parties have settled their disputes on their own free will, without any force or coercion before the Delhi Mediation Centre, Karkardooma Courts, Delhi on 8.10.2018, in terms whereof petitioner No.1 had agreed to

pay Rs.3,50,000/- to the respondent No.2. It is further submitted that out of Rs.3,50,000/-, an amount of Rs.2,50,000/- has already been paid to respondent No.2. It is also submitted that the petitioner No.1 has pronounced *talaq* to respondent No.2 as per Islamic Shariyat, as mentioned in the talaqnama dated 13.10.2018.

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 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.668520, dated 13.3.2019, drawn on Citibank, for an amount of Rs.99,000/- and Rs.1,000/- in cash, which have 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 *talaqnama*, 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.148/2017, under Sections

377/498-A/406/ 34 of the IPC and Section 4 of the DP Act, registered at P.S.: New Usmanpur, Delhi and the proceedings emanating therefrom are quashed.

7. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

MARCH 14, 2019
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