

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

Date of decision: November 27, 2019

+ **W.P.(CRL) 1413/2019 & CrI.M.A. 37637/2019**

NAHIM KHAN Petitioner

Through: Mr. Rahul Tripathi, Advocate.

Versus

STATE & ANR. Respondent

Through: Ms. Shivani Sharma, Advocate for
Ms. Richa Kapoor, Additional
Public Prosecutor for State with
ASI Subhash Chand
Respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE BRIJESH SETHI

JUDGMENT

BRIJESH SETHI, J (oral)

Quashing of FIR No. 721/2014, under Sections 498-A/406/34 IPC, registered at police station Jamia Nagar, Delhi is sought on the ground that the matrimonial dispute between the parties stands amicably resolved through Panchayat Samaj Party of Muslim religion.

Learned counsel appearing on behalf of Standing Counsel for the respondent/State submits that petitioner as well as respondent No.2/ complainant of this FIR, are present in the Court and they have been duly identified on the basis of identity proof furnished by them.

Learned counsel for petitioners as well as respondent No.2 submit that during pendency of this petition, it has been agreed between the W.P.(Crl.) 1413/2019

parties that their daughter- *Rehana* will remain in custody of petitioner/father but respondent No.2/mother will have visitation rights and for this purpose, petitioner will drop his daughter- *Rehana* at the residence of respondent No.2/mother at 10:00 am on every second Sunday and will take her back at 5:00 p.m. in the evening.

Respondent No.2, present in the Court, submits that the dispute between the parties has been amicably resolved and that divorce as per *muslim* law has been obtained by the parties. Respondent No.2 submits that now no grievance against petitioner survives and subject to petitioner making her meet her daughter in afore-noted manner, she has no objection to the quashing of FIR in question.

Since the matrimonial dispute stands amicably resolved between the parties, this petition is allowed and 721/2014, under Sections 498-A/406/34 IPC, registered at police station Jamia Nagar, Delhi and the proceedings emanating therefrom are quashed.

This petition and application stands disposed of.

(BRIJESH SETHI)
JUDGE

NOVEMBER 27, 2019

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