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

+ **CRL.M.C. 1367/2018 & CrI.M.A.4981/2018**

HABIB MALIK & ORS

.... Petitioners

Through

Mr. Zahid Ali, Adv. with the
petitioners

versus

THE STATE GOVT OF NCT OF DELHI

& ANR

.... Respondents

Through

Mr. Raghuvinder Verma, APP
with Insp. Vinay Kumar,
ATO/Khajoori Khas, Delhi
R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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20.09.2019

CRL.M.A. 4981/2018 (for condonation of delay)

In view of the cause submitted in the application, the delay in re-filing the petition is condoned. Application stands disposed of.

CRL.M.C. 1367/2018

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.73/2013, 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 petitioners 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 22.4.2014, in pursuance whereof, the marriage of the petitioner No.1 and the respondent No.2 stands dissolved by way of pronouncement of *talaq* orally according to the Muslim rites and the said fact has also been verified by the Investigating Officer.

3. Respondent No.2 has reiterated the aforesaid facts and submitted that the petitioners have already paid the entire amount to her and now nothing remains due from the petitioners. Respondent No.2 further submitted that, she has no objection to the petition being allowed and the FIR being quashed.

4. Learned counsel for the petitioners submitted that in view of the no objection from the respondent No.2, the present petition may be allowed and the FIR may be quashed.

5. Learned counsel for the petitioners further submitted that the petitioner No.1 has remarried.

6. Respondent No.2 as well as her father, present in the Court, submitted that the respondent No.2 has also remarried.

7. 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.

8. 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.73/2013, 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.

9. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

SEPTEMBER 20, 2019/rk