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

+ **W.P.(CRL) 226/2020**

MOHD. KASIM ANSARI & ORS. Petitioners
Through: Mr. Mahesh Saxena, Advocate with
petitioners in person.
versus

STATE & ORS. Respondents
Through: Mr. Rajesh Mahajan, ASC for the
State with ASI Khagnesh Kumar PS
Seelampur.
Respondent nos. 2 and 3 in person.

CORAM:
HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER
% **27.01.2020**

Cr.. M.A. No. 1687/2020 (for exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(CRL.) 226/2020

1. Issue notice. Ld. ASC for the State appears on advance notice and accepts notice. Respondent nos.2 and 3 appears and accepts notice.
2. This is a petition under Section 482 Cr.P.C. for quashing of FIR No.539/2018, under Sections 498A/406/34 IPC & Section 4 of Dowry Prohibition Act, 1961, registered at Police Station-Seelampur, District North-East Delhi, and all proceedings emanating therefrom.
3. The brief facts of the case are that the petitioner No.1 and

respondent No.3 got married on 22.10.2013 according to Muslim rites and customs and they lived together as wife and husband with each other. After the marriage, some disputes and differences arose between them and they started living separately since 21.07.2017. On 31.12.2018, the respondent No.2 got the above said FIR registered against the petitioners.

4. Counsel for the petitioners submits that during the pendency of the trial, the petitioners and respondent No.2 have settled the matter amicably and they are living together happily for the past one year.

5. Respondent Nos.2 and 3 are present in Court today and they have been identified by the IO. Respondent Nos.2 and 3 admit that they have settled the matter amicably with the petitioners and living with petitioners happily. She further submits that the settlement has taken place voluntarily, without any force, pressure or coercion. They submit that nothing remains to be adjudicated further between them and respondent nos. 1 and 2 have no objection if the FIR in question is quashed.

6. Learned APP for the State submits that in view of the settlement, the State has no objection if the FIR in question be quashed.

7. Keeping in view the above facts and circumstances, since the matter has been amicably settled between the parties and they are living together, no useful purpose will be served by keeping the case pending. It will be nothing but abuse of the process of law. Consequentially, this petition is allowed and FIR No.539/2018, under Sections 498A/406/34 IPC & Section 4 of Dowry Prohibition Act,

1961, registered at Police Station-Seelampur, District North-East Delhi, and the proceedings emanating therefrom are hereby quashed.

8. The present petition stands disposed of accordingly. *Dasti*.

RAJNISH BHATNAGAR, J

JANUARY 27, 2020

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