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

+ **W.P.(CRL) 284/2020**

WASEEM AHMAD & ORS. Petitioners

Through: Ms. Seema Mishra and Mr. Dinesh
Kr. Tiwari, Advs.
Petitioners in person.

versus

STATE & ANR. Respondents

Through: Ms. Purnima Malik, Adv. for Mr. Avi
Singh, ASC.
Insp. Ratnesh, ASI Suresh Kumar.
Mr. A.S.Khan, Adv. for R-2.
Respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

% **30.01.2020**

Crl. M.A. 2110/2020 (Exemption)

Exemption allowed subject to just exceptions.

The application stands disposed of.

W.P.(CRL) 284/2020

1. Issue notice. Learned counsel for the State, who appears on advance notice, accepts notice. Counsel for respondent No.2 appears and accepts notice.
2. This is a petition under Article 226 of the Constitution of India

read with Section 482 Cr.P.C. for quashing of FIR No.0501/2016, under Sections 498A/406/34 IPC registered at Police Station-Usmanpur, Delhi, and all proceedings emanating therefrom.

3. The brief facts of the case are that the petitioner No.1 and respondent No.2 got married on 16.4.2008 according to Muslim rites and ceremonies and they lived together as wife and husband with each other. Two children were born out of the said wedlock. After the marriage, some disputes and differences arose between them and they started living separately since 15.9.2015. On 11.06.2016, the respondent No.2 got the above said FIR registered against the petitioners for causing cruelties and demand of dowry.

4. Counsel for the petitioners submits that during the pendency of the trial, with the intervention of Mediation Centre, Karkardooma Courts, Delhi, the parties have settled the matter amicably in terms of the Agreement/Settlement Deed dated 6.01.2020. Copy of the same is placed on record. Accordingly, the marriage of the petitioner no.1 and respondent no.2 has already been dissolved by mutual divorce (Mubarrat) as per Muslim Law on 11.1.2020. Copy of the decree of divorce is placed on record.

5. Respondent No.2 is present in Court today and she has been identified by the IO. The respondent No.2 admits that she has settled the matter amicably with the petitioners. She further submits that the settlement/compromise has taken place voluntarily, without any force, pressure or coercion. As per settlement, an FDR of Rs. 2,50,000/- and DD No.743748 dated 14.1.2020 of Rs.2,00,000/- have been handed over to the respondent No.2 today. Respondent No.2 submits

that nothing remains to be adjudicated further between them and she has no objection if the FIR in question is quashed.

6. Learned counsel for the State submits that in view of the settlement between the parties, 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, 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.0501/2016, under Sections 498A/406/34 IPC registered at Police Station- Usmanpur, Delhi, and the proceedings emanating therefrom are hereby quashed.

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

RAJNISH BHATNAGAR, J

JANUARY 30, 2020

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