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

+ CRL.M.C. 4698/2018

FAIYAZ AHMED @ AMAN SINGH & ORS. Petitioners

Through: Mr. A.K. Azad, Adv. with petitioner
nos. 1, 4 & 5.

versus

STATE & ANOTHER Respondents

Through: Ms. Manjeet Arya, APP for State with
SI Jitender, P.S. Alipur.
Respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

% **10.02.2020**

1. The present proceedings are instituted seeking quashing of FIR No. 448/2013 under Sections 498A/406/419/420 IPC registered at P.S. Alipur on the ground of a settlement having been arrived at between petitioner no.1 and respondent no. 2.
2. The present FIR is an outcome of matrimonial disputes between petitioner no.1 (husband) and respondent no.2 (wife).
3. Learned APP for the State, submits that the charge-sheet was filed against the present petitioners and respondent no.2 is the only complainant/victim.
4. Learned counsel for the petitioners submits that petitioner no.1 and respondent no.2 have settled their disputes amicably. In terms of the settlement, the marriage between the petitioner and respondent no.2 has been dissolved by a decree of divorce by mutual consent passed by the Family Court, North, Rohini Courts, Delhi on 17.05.2016.
5. The petitioner nos.1, 4 and 5 and respondent no.2 are present in

person and have been identified by the Investigating Officer. It is submitted that the petitioner no.2 has since expired, which fact has been verified by the Investigating Officer. It is further submitted that petitioner no. 3, the mother of petitioner no.1, is not present in person on account of her illness. Petitioner no.1 has paid Rs.10,000/- to the respondent no.2 today in Court towards the costs imposed on the last date of hearing.

6. Respondent no. 2 states that she has entered into the settlement with petitioner no.1 out of her own free will, volition and without any undue force, pressure or coercion. She further states that she has no objection if the present FIR is quashed against petitioner no.1 and his relatives i.e., petitioner nos. 2 to 5.

7. Learned counsel for the petitioners submits that no other proceedings are pending between the parties.

8. The parties shall remain bound by their statements made in Court today.

9. In view of the settlement arrived at between the parties voluntarily and the fact that the marriage between petitioner no.1 and respondent no.2 has already been dissolved, in my view, no useful purpose will be served in keeping them entangled in the present criminal proceedings. Accordingly, in the interest of justice, aforesaid FIR and the consequent proceedings emanating therefrom are hereby quashed.

10. With the above directions, the petition is disposed of.

11. Order *dasti* to the counsels for the parties.

MANOJ KUMAR OHRI, J

FEBRUARY 10, 2020/ga