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

Date of decision: February 18, 2021

+ **CRL.M.C. 507/2021 & CrI.M.A. 2596/2021**

SHANWAZ & ORS.

..... Petitioner

Through: Mr. Farhim Khan &
Mr. Nasimuddin, Advocates
with petitioners in person

Versus

THE STATE (GOVT. OF N.C.T.) & ANR. Respondents

Through: Mr. Izhar Ahmed, Additional
Public Prosecutor for
respondent No.1/State with SI
Ashish Kumar
Mr. Kunwar Narendera,
Advocate for respondent No.2

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

JUDGMENT (ORAL)

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1. Vide this petition, petitioners are seeking quashing of FIR No.139/2017, under Sections 498A/406/34 IPC, registered at police station Gokul Puri, New Delhi.

2. Notice issued.

3. Mr. Izhar Ahmed, learned Additional Public Prosecutor for State accepts notice and submits that respondent No.2 is present in

the Court and she has been identified as the complainant of FIR in question by the Investigating Officer of this case, who is also present in the Court.

4. With the consent of the parties, the present petition is taken up for final hearing.

5. The marriage between petitioner No.1/husband and respondent No.2/wife was solemnized on 25.02.2015 as per Muslim Rites and Customs and due to temperamental differences, the marriage could not work and they started living separately since August, 2016. The matrimonial dispute between the parties culminated into the FIR in question.

6. The present petition has been filed on the ground that the parties have amicably settled their matrimonial dispute in terms of Settlement dated 11.02.2020 reached through Family Court, Karkardooma Courts, Delhi.

7. Learned counsel for the petitioners submits that the marriage between petitioner No.1 and respondent No.2 stands dissolved by a mutual consent divorce on 19.02.2020 and as per Muslim Shariat and the terms of settlement have been fully acted upon. It is so

affirmed by respondent No.2, who is also present in the Court.

8. Keeping in view that the dispute between the parties has been amicably resolved, this Court is inclined to quash the FIR in question, as no useful purpose would be served in continuing with the proceedings arising out of the present FIR.

9. For the reasons afore noted, FIR No.139/2017, under Sections 498A/406/34 IPC, registered at police station Gokul Puri, New Delhi and consequent proceedings emanating therefrom against the petitioners, are hereby quashed.

10. The petition is accordingly allowed and disposed of.

11. Pending application also stands disposed of.

(SURESH KUMAR KAIT)
JUDGE

FEBRUARY 18, 2021

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