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

Date of decision: April 12, 2021

+ CRL.M.C. 1162/2021 & Crl.M.A. 5942/2021

NABI ALAM & ANR. Petitioners
Through: Advocate (*appearance not given*)

Versus

THE STATE & ANR. Respondents
Through: Mr. Izhar Ahmed, Additional
Public Prosecutor for
respondent No.1/State with SI
Dheeraj
Respondent No.2 in person

**CORAM:
HON'BLE MR. JUSTICE SURESH KUMAR KAIT**

**JUDGMENT (ORAL)
12.04.2021**

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The hearing has been conducted through video conferencing.

1. Vide the present petition, petitioners are seeking quashing of FIR No.265/20102016, registered at police station Jamia Nagar, New Delhi and all other proceedings arising therefrom.
2. Notice issued.
3. Mr. Izhar Ahmed, learned Additional Public Prosecutor for

State accepts notice and submits that respondent No.2 is present through video conferencing and she has been identified as the complainant of FIR in question by the Investigating Officer of this case, who is also present through video conferencing.

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

5. The marriage between petitioner No.1 and respondent No.2 was solemnized on 26.02.2005 but due to temporal differences, they could not adjust together. On 10.05.2010, respondent No.2/wife lodged a complaint against the petitioners, which culminated into the FIR in question.

6. The present petition has been filed on the ground that the parties have amicably settled their dispute in terms as spelt out in the order dated 22.02.2020 passed by Mediation Centre, Saket Courts, New Delhi.

7. Learned counsel for the petitioners submits that the terms of settlement have been acted upon and the balance amount of Rs.2,00,000/- has been paid to respondent No.2/complainant. It is submitted that *talaqnama* was prepared and pronounced on

20.02.2020 itself.

8. Respondent No.2 present through video conferencing affirms the factum of settlement and submits that terms thereof have been fully complied with and divorce as per muslim law has already taken place.

9. 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.

10. For the reasons afore noted, FIR No.265/20102016, registered at police station Jamia Nagar, New Delhi and consequent proceedings emanating therefrom are hereby quashed.

11. The petition is accordingly allowed and disposed of.

12. Pending application also stands disposed of.

13. The order be uploaded on the website of this Court forthwith.

(SURESH KUMAR KAIT)
JUDGE

APRIL 12, 2021

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