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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 19.03.2024

+ CRL.M.C. 361/2024

MOHD ARSHAD & ORS.

..... Petitioners

Through: Mr. Mohd. Adil and Mr. Mohd. Imran
Advocates with Petitioners-in-person.

versus

STATE NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Mukesh Kumar, APP with
ASI Rajendra Kumar, PS: Dayal Pur.**CORAM:****HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA**

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J U D G M E N T**ANOOP KUMAR MENDIRATTA, J (ORAL)**

1. Petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioners for quashing of FIR No. 0494/2020 under Sections 498A/406/34 IPC, registered at P.S.: Dayal Pur, Delhi and the proceedings emanating therefrom.
2. In brief, as per the case of the petitioners, marriage between petitioner No. 1 and respondent No. 2 was solemnized according to Muslim customs and ceremonies on 16.04.2017. A female child was born out of the wedlock, who is presently in custody of respondent No. 2. Due to temperamental differences, petitioner No. 1 and respondent No. 2 started living separately since March, 2020. On complaint of respondent No. 2, present FIR was registered on 29.03.2020.
3. The disputes are stated to have been amicably resolved between the parties vide settlement deed dated 28.10.2023.
4. Balance amount of Rs. 1,00,000/- has been paid to respondent No. 2



today through DD No. 507014 dated 15.01.2024 drawn on Kotak Bank, Yamunavihar, Delhi in favour of respondent No. 2, towards full and final settlement between the parties.

5. Learned APP for the State submits that in view of amicable settlement between the parties, the State has no objection in case the FIR in question is quashed.

6. Petitioners as well as respondent No. 2 are present in person and have been identified by ASI Rajendra Kumar, PS: Dayal Pur, Delhi. I have interacted with the parties and they confirm that the matter has been amicably settled between them without any threat, pressure or coercion. Respondent No. 2 also states that nothing remains to be further adjudicated upon between the parties and she has no objection in case the FIR in question is quashed.

7. Considering the facts and circumstances, since the matter has been amicably settled between the parties, no useful purpose shall be served by keeping the case pending. It would be nothing but an abuse of the process of Court. Consequently, FIR No. 0494/2020 under Sections 498A/406/34 IPC, registered at P.S.: Dayalpur, Delhi and the proceedings emanating therefrom stand quashed.

Petition is accordingly disposed of. Pending applications, if any, also stand disposed of.

A copy of this order be forwarded to the learned Trial Court for information.

ANOOP KUMAR MENDIRATTA, J.

MARCH 19, 2024/R