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

+ **CRL.M.C. 928/2024 & CRL.M.A. 3728/2024**

AKHTAR TAYYAB @MOHD TAYYAB & ORS. Petitioners

Through: Mohd. Atahar Khan, Mr. Syed Irfan
Alam, Mr. Ankit Kumar, Mohd.
Sufian and Mr. Alamdar Husain,
Naqvi, Advocates

versus

GOVT. OF NCT OF DELHI & ANR. Respondents

Through: Mr. Satish Kumar, APP for the State
with SI Ajay, P.S. Jama Masjid.

CORAM:
HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

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06.02.2024

CRL.M.A. 3729-30/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CRL.M.C. 928/2024

3. The present petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C') has been filed on behalf of petitioners seeking quashing of FIR bearing no. 130/2014, registered at Police Station Jama Masjid, Delhi for offence punishable under Sections 307/34 of the Indian Penal Code, 1860 ('IPC') and all other proceedings emanating therefrom.
4. Issue notice. Mr. Satish Kumar, learned APP accepts notice on behalf of State.



5. All the petitioners are present before this Court and have been identified by their counsel Mohd. Atahar Khan and Investigating Officer (IO) SI Ajay from Police Station Jama Masjid, Delhi.

6. The brief facts of the present case are that complaint on 16.05.2014 had come near the residence of petitioners and due to misunderstanding on the issue of love marriage between complainant and daughter of petitioner no. 1, hot exchange of words and scuffle had taken place between complainant and petitioner no. 1 i.e. the son-in-law and father-in-law. Further, the petitioners had stabbed the complainant on his stomach. The complainant had alarmed his wife, who thereafter had taken him to hospital. On the complaint of respondent no. 2, the present FIR bearing no. 130/2014 was registered against the petitioners for the offence punishable under Sections 307/34 of IPC. It is stated that during the pendency of the case, both the parties have amicably settled all their disputes *vide* Settlement Deed dated 16.01.2024.

7. On a query made by this Court, respondent no. 2 who has been identified by the IO, has categorically stated that he has entered into settlement out of his own free will, volition and without any coercion, pressure or threat and has no objection, if the FIR is quashed.

8. The victim herein is present before this Court who states that the petitioners are his mother-in-law and father-in-law. There was a family dispute between the parties. The victim herein had married the daughter of the petitioners here against their wishes. The parties have now compromised though the compromise had taken place after 10 years of the alleged incident. Considering the family relations between the parties and the fact that the victim is still residing with the daughter of the petitioners herein and



has been blessed with four children. This Court to ensure that their family life is not affected, is inclined to quash the FIR.

9. In view of the above facts that the parties have amicably resolved their differences out of their own free will, and without any coercion, no useful purpose will be served by continuing the proceedings, rather the same would create further acrimony between them. It would thus be in interest of justice to quash the above mentioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

10. Accordingly, FIR bearing no. 130/2014, registered at Police Station Jama Masjid, Delhi for offence punishable under Sections 307/34 of IPC and all consequential proceedings emanating therefrom are quashed.

11. However, the matter has been pending for the last 10 years. It is clear. In these circumstances, both, the time of the court and the investigating agency has been consumed. Considering the same, a cost of Rs. 5,000/- is imposed upon petitioners which will be deposited with Advocates Welfare Fund, Tis Hazari Court, Delhi within 10 days.

12. In view of the above, the present petition stands disposed of.

13. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

FEBRUARY 6, 2024/zp

Click here to check corrigendum, if any