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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 28.02.2024

+ CRL.M.C. 1640/2024

IKRAM HUSAIN @ AKRAM HUSSAIN & ORS. Petitioners

Through: Mr. Ashish Verma and Mr. Mohd. Azeem Khan, Advocates with Petitioners-in-person.

versus

THE STATE GOVT OF NCT OF DELHI & ANR. Respondents

Through: Ms. Kiran Bairwa, APP for State with SI Deepa, PS: Seelampur.
Mr. M. A. Ashraf, Advocate for R-2 with Respondent No. 2-in-person.

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)

CRL.M.A. 6338/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 1640/2024

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. 0364/2013, under Sections 498A/406/34 IPC and Section 4 of Dowry Prohibition Act, registered at P.S.: Seelampur, Delhi and the proceedings emanating therefrom.

2. Issue notice. Learned APP for the State and learned counsel for



respondent No. 2 along with respondent No. 2 in person appear on advance notice and accept notice.

3. In brief, as per the case of the petitioners, marriage between petitioner No. 1 and respondent No. 2 was solemnized according to Muslim Rites and Customs on 25.03.2010. A child was born out of the said wedlock, who is presently in custody of respondent No. 2. Due to temperamental differences between the parties, petitioner No. 1 and respondent No. 2 started living separately since 03.04.2013. On complaint of respondent No. 2, present FIR was registered on 24.08.2013.

4. The disputes are stated to have been amicably resolved between the parties in terms of settlement deed dated 10.05.2022. The marriage between petitioner No. 1 and respondent No. 2 has been dissolved by way of Khulanama / Talaqnama dated 26.05.2022.

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 SI Deepa, PS: Seelampur, 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. 0364/2013, under Sections 498A/406/34 IPC



and Section 4 of Dowry Prohibition Act, registered at P.S.: Seelampur, 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.

FEBRUARY 28, 2024/R