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

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Date of Decision: 01.04.2024

+ **CRL.M.C. 2553/2024**

JAVED AND OTHERS.

..... Petitioners

Through: Ms.Naiem Jahan Heena and Mr.Raj
Kumar, Advocates alongwith
petitioner No.1 in person.

versus

STATE NCT OF DELHI AND ORS.

..... Respondents

Through: Ms. Kiran Bairwa, APP for the State
with SI Karan Singh, PS. Ghazipur.
Mr.Ahmed Faraz, Advocate 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. 9748/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 2553/2024

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. 244/2016, under Sections 498A/406/34 IPC registered at P.S.: Ghazipur and proceedings emanating therefrom.
2. Issue notice. Learned APP for the State and learned counsel for respondent No.2 alongwith 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 ceremonies on 23.04.2014. Three female children were born out of the wedlock. Due to temperamental differences, on complaint of respondent No.2, present FIR was registered on 04.05.2016.

4. The disputes are stated to have been amicably settled between the parties with the intervention of family members vide Settlement Deed dated 25.09.2023 though the parties are stated to have been residing together since 2019.

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. Petitioner No.1 and respondent No. 2 are present in person and have been identified by SI Karan Singh, PS: Ghazipur. Presence of petitioners No.2 and 3 is exempted. Petitioners No.4 and 5 are stated to have expired. 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. 244/2016, under Sections 498A/406/34 IPC registered at P.S.: Ghazipur and the proceedings emanating therefrom stand



quashed.

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

ANOOP KUMAR MENDIRATTA, J.

APRIL 01, 2024/v