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

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Date of Decision: 22.05.2024

+ W.P.(CRL) 1419/2024 & CRL.M.A. 13855/2024

GUIZAR ISLAM & ORS.

..... Petitioners

Through: Ms. Aleena, Ms. Kanupriya, Mr. Jatin Chaudhary, Mr. Aadesh Taneja, Ms. Kulsum Hasan, Ms. Mehwish Khalil and Mr. Jatin Solanki, Advocates with Petitioner Nos. 1 & 3 in-person.

versus

THE STATE OF GNCT & ANR.

..... Respondents

Through: Mr. Anand V. Khatri, ASC (Crl.) with SI Akshay and ASI Sanjeev Kumar, PS: Shaheen Bagh.
Mr. Shahrukh Khan and Mr. Abhishek Rai, Advocates 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)

1. Petition under Article 226 of the Constitution of India read with 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. 0068/2023, under Sections 498A/506/406/34 IPC registered at P.S.: Shaheen Bagh and 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 rites and ceremonies on 31.12.2015. No child was born out of the wedlock. Due to temperamental differences, respondent No. 2 and petitioner No. 1 started living separately. Present FIR was registered on complaint of respondent No. 2 on 01.02.2023.

3. The disputes are stated to have been amicably resolved between the parties in terms of Settlement Deed dated 21.10.2023. The marriage between petitioner No. 1 and respondent No. 2 has been dissolved by way of Mubarat and a Deed of Dissolution of marriage / Mubaratnama was executed on 21.12.2023.

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

5. Petitioner Nos. 1 & 3 and respondent No. 2 are present in person and have been identified by ASI Sanjeev Kumar, PS: Shaheen Bagh. Presence of petitioner Nos. 2 & 4 is exempted. 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.

6. 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. 0068/2023, under Sections 498A/506/406/34 IPC registered at P.S.: Shaheen Bagh and 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 learned trial court for information.

ANOOP KUMAR MENDIRATTA, J.

MAY 22, 2024/R