



2024:DHC:4973



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 05.07.2024

+ CRL.M.C. 5039/2024

SH. IMRAN KHAN AND ORS.

..... Petitioners

Through: Mr.Manish Kumar and Mr.Sanjeet
Kumar, Advocates with petitioners in
person.

versus

THE STATE NCT OF DELHI AND ANR.

.... Respondents

Through: Mr.Nawal Kishore Jha, APP for State
with SI Nitin, P.S. Laxmi Nagar.
Ms.Pushpa Yadav, 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. 19263/2024**

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 5039/2024

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. 211/2018, under Sections 498A/406/34 IPC registered at P.S.: Shakarpur and proceedings emanating therefrom.

2. Issue notice. Learned APP for the State and learned counsel for respondent No. 2 along with respondent No. 2 appear on advance notice and



2024:DHC:4973



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 Muslims rites and customs on 25.11.2004. Two children were born out of the wedlock who are presently in custody of respondent No.2. Due to temperamental differences, respondent No.2 and petitioner No.1 started living separately. On complaint of respondent No. 2, present FIR was registered on 17.05.2018.

4. The disputes are stated to have been amicably settled between the parties in terms of Settlement dated 08.04.2022. The marriage between petitioner No. 1 and respondent No. 2 has been dissolved by decree of divorce dated 11.05.2023 under Section 2 (IX) of the dissolution of Muslim Marriage Act, 1939.

5. Balance amount of Rs.2,00,000/- has been paid to respondent No.2 today through DD No.879104 dated 01.07.2024 drawn on IDFC First Bank in favour of respondent No.2.

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

7. Petitioners and respondent No. 2 are present in person and have been identified by SI Nitin, P.S.: Laxmi Nagar. 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.

8. Considering the facts and circumstances, since the matter has been amicably settled between the parties, no useful purpose shall be served by



2024:DHC:4973



keeping the case pending. It would be nothing but an abuse of the process of Court. Consequently, FIR No. 211/2018, under Sections 498A/406/34 IPC registered at P.S.: Shakarpur 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 learned Trial Court for information.

ANOOP KUMAR MENDIRATTA, J.

JULY 05, 2024/v