



2024:DHC:5289



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 18.07.2024

+ CRL.M.C. 5420/2024

MOHD. MASROOR ALAM

..... Petitioner

Through: Mr. Parvez Haider, Advocate with
Petitioner-in-person.

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Ms. Kiran Bairwa, APP with ASI
Vikram Singh, PS: Karawal Nagar.
Mr. M. W. Rehman, 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)**

1. Petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') has been preferred on behalf of the petitioners for quashing of FIR No. 0115/2016, under Sections 498A/406/34 IPC and Section 4 of the Dowry Prohibition Act, registered at PS: Karawal Nagar 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 accept notice.
3. In brief, as per the case of the petitioners, marriage between petitioner and respondent No. 2 was solemnized according to Muslim rites and ceremonies on 06.06.2014. No child was born out of the wedlock. Due to temperamental differences, petitioner and respondent No. 2 started living separately. On complaint of respondent No. 2, present FIR was registered on 11.03.2016.



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4. The disputes are stated to have been amicably settled between the parties in terms of Settlement Deed dated 22.06.2024. It is further agreed between the petitioner and respondent No. 2 that they shall obtain divorce. Parties are stated to have since re-married.

5. 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.

6. Petitioner and respondent No. 2 are present in person and have been identified by ASI Vikram Singh, PS: Karawal 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.

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. 0115/2016, under Sections 498A/406/34 IPC and Section 4 of the Dowry Prohibition Act, registered at PS: Karawal Nagar 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.

JULY 18, 2024/R