



2024:DHC:5756



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 02.08.2024

+ W.P.(CRL) 2330/2024

FAEEM AND ORS.

..... Petitioners

Through: Mr.Tahir Hussain, Mr.Amjad Khan
and Mr.Shakib Malik, Advocates with
petitioner No.1 to 4 & 6 in person and
petitioner No.5 through VC.

versus

THE STATE (GNCT OF DELHI) AND ANR. Respondents

Through: Mr.Anand V. Khatri, ASC (Crl.) for
State with ASI Gajraj Singh, P.S.
Seemapuri.

Mr.Gayoor Alam, 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. 22780/2024**

Exemption allowed, subject to just exceptions.

Application stands disposed of.

W.P.(CRL) 2330/2024

1. Petition under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') has been preferred on behalf of the petitioners for quashing of FIR No.0778/2022, under Sections 498A/406/34 IPC and Section 4 of Dowry Prohibition Act, registered at P.S. Seemapuri and proceedings emanating



therefrom.

2. Issue notice. Learned ASC 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, *Nikah* between petitioner No.1 and respondent No. 2 was solemnized according to Muslim rites and ceremonies on 23.10.2017. A male child was born out of the wedlock. Due to temperamental differences, petitioner No.1 and respondent No.2 started living separately. Present FIR was registered on complaint of respondent No.2 on 16.09.2022.

4. The disputes are stated to have been amicably settled between the parties in terms of the Settlement/Compromise Deed dated 15.09.2023 arrived at Delhi Mediation Centre, Karkardooma Courts, Delhi. Petitioner No.1 and respondent No.2 are thereafter stated to be residing together.

5. Learned ASC 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.

6. All petitioners except petitioner No.5 (through VC) and respondent No. 2 in person, have been identified by ASI Gajraj Singh, P.S.: Seemapuri. 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



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keeping the case pending. Continuation of proceedings would be nothing but an abuse of the process of Court. The chances of conviction are bleak in view of amicable settlement between the parties. Consequently, FIR No. 0778/2022, under Sections 498A/406/34 IPC and Section 4 of Dowry Prohibition Act, registered at P.S.: Seemapuri 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.

AUGUST 02, 2024/v