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

+ **W.P.(CRL) 2597/2024 & CRL.M.A. 25434/2024**

QAYYUM AHMAD & ORS.

.....Petitioners

Through: Mr. Amjad Khan and Mr. Md. Nasir,
Advs.

versus

THE STATE (GOVT. OF NCT, DELHI) & ANR.Respondents

Through: Ms. Rupali Bandhopadhyaya, ASC for
the State with Mr. Abjijeet Kumar,
Adv. with ASI Sushil Kumar, PS
V.K. South.

Mr. Sumit Kumar, Adv. For R-2.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

27.08.2024

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1. This petition has been filed seeking quashing of FIR No. 572/2022, registered under Sections 498A/406/34 of IPC at P.S. Vasant Kunj South, Delhi on the basis of a settlement dated 09th July, 2024, which is record on this Court.
2. The petitioner and respondent No.2 were married on 29th November, 2020 according to Muslims rites and customs. No child was born out of wedlock. They have since been divorced by mutual consent.
3. As per the agreement, the settled amount of Rs.1,80,000/- has been tendered *vide* DD No.665785 drawn on State Bank of India to respondent No.2, who has received it in Court.
4. Further, it was agreed to transfer a four-wheeler car No.DL12CT-2581, Maruti Suzuki Baleno Car to respondent No.2. The RC and the key of



the said car have been given to respondent No.2 who has duly received it in Court, along with an agreement of transfer on which the petitioner has signed.

5. Petitioner undertakes to execute the requisite transfer forms for the transfer of the said car in favour of respondent No.2 within a period of two days.

6. On the basis of the undertaking and the MoU, the respondent No.2 has no objection to the quashing of the FIR.

7. In the event, any infirmity is found in the documents of transfer, the respondent No.2 will be at liberty to approach this Court.

8. It is also mentioned by the counsel for the petitioner that the FIR number mentioned in the petition is incorrectly stated as 527/2022 rather than 572/2022.

9. Considering the above settlement between the parties and the chances of conviction of the petitioners being remote and bleak, there is no use continuing with proceedings of the present FIR as it would be a misuse of the process of the Court and an unnecessary burden on the State exchequer. Accordingly, the petition is allowed. Consequently, the FIR No. 572/2022, registered under Sections 498A/406/34 of IPC at P.S. Vasant Kunj South, Delhi and proceedings emanating therefrom are quashed.

10. Parties shall abide by the terms of settlement.

11. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.

12. Order be uploaded on the website of this Court.

ANISH DAYAL, J

AUGUST 27, 2024/MK