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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 9428/2023

SHAHZADA HASHMI & ORS.

.....Petitioners

Through: Mr. Anil Kumar, Advocate with
petitioners in person

versus

STATE, GOVT. OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Aashneet Singh, APP for State with
SI Deepak

Respondent No.2 in person

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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11.09.2024

1. By way of the present petition, the petitioners seek quashing of FIR No.491/2016 registered under Sections 498A/406/34 IPC at P.S. Jahangir Puri, Delhi on the ground that the parties have amicably settled their disputes.
2. The present FIR is an outcome of a matrimonial dispute between the complainant/respondent No. 2 (wife) and petitioner No.1 (husband) whereas petitioner Nos.2 to 5 are the in-laws of the complainant.
3. Learned APP for the State submits that the petitioners are the only accused persons and respondent No. 2 is the complainant/victim. He further states that the charge-sheet has already been filed. He states that there is a child born out of the said wedlock.
4. Learned counsel for the petitioners submits that the parties have settled their dispute vide Settlement Deed dated 28.09.2023, a copy whereof has been placed on record. It is stated that petitioner No.1 and respondent



No.2 have already been granted divorce in accordance with Muslim rites vide divorce decree/*talaqnama* dated 07.06.2016. In terms of the settlement, respondent No.2 is now left with no claim whatsoever against the petitioners.

5. The petitioners, who are present in the Court, have been identified by their counsel and the Investigating Officer. Petitioner No. 1 states that the rights of the minor child, who is in custody of respondent No. 2 shall remain unaffected by the terms of the settlement. The statement is accepted and is taken on record. In acknowledgement of the said statement, petitioner No. 1 and his counsel have signed the order sheet.

6. Respondent No.2, who is present in the Court and has been identified by the Investigating Officer, states that she has entered into the aforesaid settlement deed out of her own free will, volition and without any coercion. She further states that she has no objection if the present FIR and consequent proceedings are quashed.

7. The parties shall remain bound by the statements made in Court today.

8. In view of the above facts and since no useful purpose will be served in continuance of the present criminal proceedings, it is directed that the aforesaid FIR and the consequent proceedings arising therefrom are hereby quashed.

9. The petition is disposed of in the above terms.

MANOJ KUMAR OHRI, J

SEPTEMBER 11, 2024/na