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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 12.03.2024

+ W.P.(CRL) 91/2024

FAYYAJ SULTAN @ FAIYAZ SULTAN & ORS. Petitioners

Through: Mr. Z. R. Shamsi and Mr. Afsar Ali,
Advocates with Petitioners-in-person.

versus

THE STATE GOVT OF NCT OF DELHI & ANR. Respondents

Through: Mr. Anand V. Khatri, ASC for State
with SI Deepa, PS: Seelampur.
Mr. Rukhsar Ahmad, 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 Article 226 of the Constitution of India read with 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. 702/2014 under Sections 498A/406/34 IPC and Section 4 of the Dowry Prohibition Act registered at P.S.: Seelampur, Delhi and proceedings emanating therefrom.
2. In brief, as per the case of the petitioners, marriage between petitioner No. 1 and respondent No. 2 was solemnized according to Muslim Rites and Customs on 21.10.2012. No child was born out of the said wedlock. Due to temperamental differences petitioner No. 1 and respondent No. 2 started living separately since December, 2013. On complaint of respondent No. 2, present FIR was registered on 22.10.2014.
3. The disputes are stated to have been amicably resolved between the



parties in terms of settlement deed dated 17.10.2023. Petitioner No. 1 is also stated to have given Talaq to respondent No. 2 as per Muslim Shariat Law on 19.12.2013.

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

5. Petitioner No. 1 (through VC), petitioner Nos. 2 and 3 and respondent No. 2 (in person) have been identified by SI Deepa, PS: Seelampur, Delhi. Presence of petitioner Nos. 4 and 5 is exempted. 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.

6. 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. 702/2014 under Sections 498A/406/34 IPC and Section 4 of the Dowry Prohibition Act registered at P.S.: Seelampur, Delhi 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 the learned Trial Court for information.

ANOOP KUMAR MENDIRATTA, J.

MARCH 12, 2024/R