



2024:DHC:8062



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 18.10.2024

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CRL.M.C. 8177/2024

ARAFAT AND ANOTHER

.....Petitioners

Through: Mr.Rajesh Sharma, Advocate.
versus

THE STATE GOVT. OF NCT OF DELHI AND ANR.....Respondents

Through: Ms. Meenakshi Dahiya, APP with SI
Ajit Krishna, PS Gokulpuri.
R-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 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioners for quashing of FIR No. 24/2015, under Sections 498A/406/34 IPC, registered at PS: Gokalpuri and proceedings emanating therefrom.
2. Issue notice. Learned APP for the State and respondent No.2 along with her father appear on advance notice and accept notice.
3. In brief, as per the case of petitioners, marriage between petitioner No.1 and respondent No. 2 was solemnized according to Muslim rites and ceremonies on 03.04.2010. A female child was born out of the wedlock and is presently in custody of respondent No.2. Due to matrimonial differences, petitioner and respondent No.2 started living separately. On complaint of respondent No.2, present FIR was registered on 09.01.2015.
4. The disputes are stated to have been amicably settled between the parties in terms of the Settlement Deed dated 12.02.2023 arrived at Delhi



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Mediation Centre, Karkardooma Courts, Delhi. Further, petitioner No.1 has given Talaq to the Respondent No.2 in accordance with Muslim law.

5. Balance amount of Rs.1,00,000/- (Rupees One Lakh Only) is stated to have been paid to the respondent No.2 in cash today since the respondent No.2 does not have a bank account.

6. 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.

7. Petitioner and respondent No. 2 have been identified by SI Ajit Krishna, PS Gokulpuri. 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.

8. Considering the facts and circumstances, since the disputes have 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. The chances of conviction are bleak in view of amicable settlement between the parties. Consequently, FIR No. 24/2015, under Sections 498A/406/34 IPC, registered at PS: Gokalpuri 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.

OCTOBER 18, 2024/VLD