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

+ CRL.M.C. 6477/2018

MOHD. QASIM & ORS.

.....Petitioners

Through: Mr. A. Sahitya Veena, Mr. Faraz Maqbool, Mr. Ishan Phukan and Ms. Sana Juneja, Advocates.

Versus

STATE & ANR.

.....Respondents

Through: Mr. Nawal Kishore Jha, APP for the State.

Ms. Juhi Arora and Mr. Saral Arora, Advocates for the Respondent No.2.
ASI Om Prakash, PS Sarai Rohilla

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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11.12.2024

1. The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 295/16 under Sections 498A/406/34 IPC registered at Police Station Sarai Rohilla and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
2. Notice in the present petition was issued *vide* order dated 19.12.2018.
3. The petitioner no.1 (former husband), as well as, respondent no. 2 (former wife) are present in the Court and they have been identified by their respective counsel and by the Investigating Officer ASI Om Prakash, PS Sarai Rohilla.
4. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 07.12.2009 according to Muslim rites and ceremony and out of the wedlock two children were born.



5. On account of temperamental issues certain disputes arose between the parties and they started living separately. The dispute between the parties also led to the registration of present FIR.
6. It is alleged in the petition that during the pendency of the proceedings, the parties arrived at a settlement, terms whereof were reduced in writing in the form of Settlement/Agreement dated 26.02.2018.
7. The respondent no.2 who is present in Court states that she is not aware about any settlement. However, she submits that she does not wish to proceed with the criminal proceedings arising out of the aforesaid FIR and further she has no objection in case the FIR is quashed. The respondent no.2 states that she is making her statement without any pressure or coercion.
8. In view of the above statement of the respondent no.2, no useful purpose will be served in continuing the criminal proceedings and the chances of ultimate conviction of the petitioner no.1 is also bleak.
9. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.
10. Consequently, the petition is allowed and the FIR No. 295/16 under Sections 498A/406/34 IPC registered at Police Station Sarai Rohilla alongwith all other proceedings emanating therefrom, is quashed.
11. The petition stands disposed of in the above terms.
12. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

DECEMBER 11, 2024

SC