

(2008) 08 DEL CK 0211

Delhi High Court

Case No: Criminal M.C. 2685 of 2008 and Criminal M.As. 9909-9910 of 2008

Ms. Zohra Parveen @ Afasana

APPELLANT

Vs

State and Others

RESPONDENT

Date of Decision: Aug. 19, 2008

Acts Referred:

- Criminal Procedure Code, 1973 (CrPC) - Section 482
- Penal Code, 1860 (IPC) - Section 34, 406, 498A

Hon'ble Judges: Manmohan, J

Bench: Single Bench

Advocate: M.M. Rahman, for the Appellant; R.N. Vats, APP and Surresh Chand, SI, CAW-Cell/NE, for the Respondent

Final Decision: Allowed

Judgement

Manmohan, J.

The present petition has been filed u/s 482 of the Code of the Criminal Procedure for quashing of FIR No. 226/2003 registered with PS Welcome under Sections 498A, 406 and 34 IPC as well as the proceedings arising therefrom and now pending in the Court of Smt. Anuradha Shukla, M.M. Karkardooma Courts, Delhi.

2. Briefly stated, the facts of this case are that the Petitioner was married to Zakir Hussan on 7th April, 1999. On 25th September, 2002, the Petitioner made a complaint to the Joint Commissioner, Crime Against Women Cell, Nanak Pura, New Delhi. In pursuance to the said complaint, the impugned FIR was registered and subsequently a charge-sheet was filed against Respondent Nos. 2 to 7.

3. However, due to the intervention of common relatives and friends in the month of April, 2004 all the disputes between the parties were amicably resolved and in pursuance thereto the Petitioner has returned back to her matrimonial home and has been residing there since then.

4. The present petition is supported by an affidavit of the Petitioner, Ms. Zohra Praveen, who is present in Court and who has been identified by the IO, makes a statement that she has no objection if the impugned FIR as well as the proceedings arising therefrom are quashed.

5. In my view, ends of justice would be subserved if the FIR No. 226/2003 is quashed. Accordingly, FIR No. 226/2003 registered with PS Welcome under Sections 498A, 406 and 34 IPC as well as the proceedings arising therefrom and now pending in the Court of Smt. Anuradha Shukla, M.M. Karkardooma Courts, Delhi, are quashed.

6. The present petition is accordingly allowed. Order dasti.