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

+ **CRL.M.C. 2004/2018**

MOHAMMAD & ANR

..... Petitioners

Through : Mr Kumar Mukesh, Advocate.

versus

STATE & ANR

..... Respondent

Through : Ms Anita Abraham, Addl. PP for the
State.

Mr Ramakant Kumar and Mr Santosh
Kumar Sahu, Advocates.
ASI Tuli Ram, PS Badarpur.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **19.04.2018**

Crl. M.A. 7112/2018(exemption)

Allowed, subject to all just exceptions.

Crl. M.A. 7113/2018(delay in re-filing for 32 days)

1. For the reasons stated in the application, the application is allowed. The delay in re-filing the petition is condoned.

2. The application stands disposed of accordingly.

CRL.M.C. 2004/2018

1. Petitioners seek quashing of FIR No.372/2013, under Sections 498A/406/34 IPC, Police Station Badarpur, based on a Settlement.

2. Subject FIR emanates out of a matrimonial discord. Petitioner No.1 is the husband of respondent No.2. Petitioner No.2 is the relation of petitioner No.1.

3. Parties have settled their dispute. The Settlement was arrived at before the Mediation Centre, Saket Courts, New Delhi on 16.10.2017. It is submitted that the parties have re-united and are living together since March, 2017.

4. Respondent No.2 is present in Court in person, represented by counsel and is identified by the Investigating Officer. She confirms that settlement has taken place and she has re-united with the petitioner No.1 and is living together with him amicably. She also submits that she does not wish to press her complaint any further.

5. In view of the above and keeping in view of the fact that the FIR emanates from matrimonial discord and the parties have resolved their dispute before the Mediation Centre, Saket Courts, New Delhi on 16.10.2017 and parties have re-united and are living together since March, 2017 and further respondent No. 2 does not wish to press her complaint, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the ultimate guiding factor. It would be expedient to quash the subject FIR and the consequent proceedings emanating therefrom.

6. Accordingly, FIR No.372/2013, under Sections 498A/406/34

IPC, Police Station Badarpur and the consequent proceedings emanating therefrom are hereby quashed.

7. Order Dasti under signatures of Court Master.

SANJEEV SACHDEVA, J

APRIL 19, 2018

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