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

+ **CRL.M.C. 1263/2018**

MOHD FARHAN & ORS

..... Petitioners

Through Mr. Faimuddin with Mr. Pramod
Singh, Advocates.

versus

THE STATE & ANR

..... Respondents

Through Ms. Anita Abraham, APP for the
State.
ASI Dinesh Kumar, PS Chandani
Mahal.
ASI Dehesh, PS Chandani Mahal.
Mr. Nimish Chib, Advocate for R-2.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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05.04.2018

Crl.M.A.4624/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 1263/2018

1. The petitioners seek quashing of FIR No.134/2016 under Sections 498-A/406/34, Police Station Chandani Mahal.
2. The subject FIR emanates out of matrimonial discord. Petitioner No.1 is the husband of respondent No.2. Petitioner No.2 is the mother of the petitioner No.1. Petitioner No.3 is the sister of the petitioner No.1.

3. Learned counsel for the petitioners submits that the parties have entered into a settlement agreement dated 13.11.2017 through the process of mediation, held at Delhi Mediation Centre, Tis Hazari Courts, Delhi. Learned counsel for the parties submits that the divorce between the parties has already taken place in accordance with Muslim Law.

4. The respondent No.2 was to be paid a total sum of Rs.4,00,000/- in full and final settlement of all her claims including Mehar. A sum of Rs.2,50,000/- has already been paid. The balance sum of Rs.1,50,000/- has been paid to the respondent No.2 by way of demand draft No.61360 dated 09.03.2018 drawn on HDFC Bank for Rs.50,000/-, demand draft No.119824 dated 12.03.2018 drawn on Citizen Co-operative Bank Ltd. for Rs.50,000/- and demand draft No.428898 dated 12.03.2018 drawn on Andhra Bank for Rs.50,000/-.

5. The respondent No.2 is present in person, represented by counsel and is identified by the Investigating Officer. She submits that she has settled her disputes with the petitioners and does not wish to press charges against the petitioners and prosecute the complaint any further.

6. In view of the fact that the proceedings emanate out of a matrimonial discord and the parties have fully and finally settled their disputes and the respondent No.2 has stated that she does not wish to press the complaint any further and the fact that the divorce between the parties has already taken place in accordance with Muslim Law,

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.

7. In view of the above, FIR No.134/2016 under Sections 498-A/406/34, Police Station Chandani Mahal and the consequent proceedings emanating there from are quashed.

8. Order *Dasti* under the signatures of the Court Master.

SANJEEV SACHDEVA, J

APRIL 05, 2018
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