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

+ **CRL.M.C. 1685/2018**

DAUD

..... Petitioner

Through Mr. Nitin Bansal with Mr. Prashant
Chakravarty, Advocates.

versus

THE STATE OF NCT OF DELHI & ANR

..... Respondents

Through Mr. Mukesh Kumar, APP for the
State.

Ms. Kanishka, Advocate for R-2.
ASI Ramesh, PS Swaroop Nagar.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **02.05.2018**

1. On the oral prayer of the petitioner, the petitioner's relatives, arrayed as petitioner Nos.2 to 11 in the Amended Memo of Parties, are impleaded as the petitioners. The Amended Memo of Parties along with the affidavits are taken on record.

2. The petitioners seek quashing of FIR No.378/2017 under Sections 498-A/406/34 IPC, Police Station Swaroop Nagar.

3. The subject FIR emanates out of matrimonial discord. Petitioner No.1 is the husband of respondent No.2. Petitioner Nos.2 and 3 are the father-in-law and mother-in-law of the respondent No.2. Petitioner Nos.4, 6, 8 and 9 are the brothers-in-law of the respondent No.2. Petitioner Nos.5, 7, 10 and 11 are the sister-in-law of the

respondent No.2.

4. Learned counsel for the petitioners submits that the parties have entered into a settlement agreement dated 12.01.2018 through the process of mediation, held at Delhi Mediation Centre, Rohini District Courts, Delhi. The marriage between the petitioner No.1 and the respondent No.2 has been dissolved in accordance with the Muslim Law and 'Talaqnama by way of Mabarat' was signed on 01.03.2018.

5. The respondent No.2 was to be paid a total sum of Rs.4,50,000/- in full and final settlement of all her claims. A sum of Rs.2,25,000/- has already been paid. The balance sum of Rs.2,25,000/- has been paid to the respondent No.2 by way of Demand Draft No.394497 dated 03.04.2018 drawn on Punjab National Bank.

6. 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.

7. 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 parties have already been divorced 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.

8. In view of the above, FIR No.378/2017 under Sections 498-A/406/34 IPC, Police Station Swaroop Nagar and the consequent proceedings emanating there from are quashed.

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

SANJEEV SACHDEVA, J

MAY 02, 2018
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