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

+ **CRL.M.C. 2095/2018**

FIROZUDDIN & ORS

..... Petitioners

Through: Mr. Sanjeev Kumar, Adv.

versus

STATE (GOVT OF NCT OF DELHI) & ANR Respondents

Through: Mr. Arun Kr. Sharma, Addl. PP for
the State with ASI Charan Singh
Mr. S.P. Sagar, Adv. for R-2

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **23.04.2018**

Crl.M.A.7434/2018 (Exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 2095/2018

1. The petitioners seek quashing of FIR No. 137 of 2016 under Sections 498-A/406/34 IPC at Police Station Dabri (South-West), Delhi, based on a settlement. It is contended that the FIR was lodged consequent to a matrimonial discord.

2. Learned counsel for the petitioners submits that the parties have entered into a settlement before the Counselling Cell dated 02.08.2017. The divorce between the parties has already taken place in accordance with Muslim Rites and Customs on 31.03.2018.

3. The respondent No.2 was to be paid a total sum of Rs.2,50,000/- in

full and final settlement of all her claims including Mehar. A sum of Rs.1,50,000/- has already been paid. The balance sum of Rs. 1,00,000/- has been paid to the respondent No.2 by way of DD No. 058079 dated 17.03.2018 issued by J & K Bank today in Court.

4. 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.

5. 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 Rites and Customs on 31.03.2018, 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 there from.

6. In view of the above, FIR No. 137 of 2016 under Sections 498-A/406/34 IPC at Police Station Dabri (South-West), Delhi and the consequent proceedings emanating there from are quashed.

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

SANJEEV SACHDEVA, J

APRIL 23, 2018

‘rs’