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

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Judgment delivered on:28.09.2018

+ CRL.M.C. 3306/2018

LAIK AHMAD @ ACCHEY & ORS Petitioners

versus

THE STATE (NCT OF DELHI) & ANR Respondents

Advocates who appeared in this case:

For the Petitioner : Mr.Prakash Verma, Advocate.

For the Respondents : Mr. Panna Lal Sharma, APP for the State
with SI Jitender, P.S.Welcome.
Mr.Arun Kumar, Adv. for R-2.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

28.09.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioners seek quashing of FIR No. 279 of 2014 under Sections 498A/406/34 of the IPC read with Section 4 of the Dowry Prohibition Act registered at Police Station Welcome Colony, Delhi, based on a settlement.

2. Subject FIR emanates out of matrimonial discord.

3. Learned counsel for the petitioners submits that the parties have settled their disputes before the Principal Judge, Karkardooma Courts, ,

Delhi on 15.01.2018. Parties have already been divorced as per muslim law.

4. As per the settlement, a sum of Rs. 2,75,000/- was agreed to be paid. A sum of Rs.1,37,500/- has already been paid. Balance amount of Rs.1,37,500/- has been paid in Court today vide demand draft No.001453 dated 24.09.2018 drawn on Bank of India for Rs.1,18,000/- along with an amount of Rs.19,500/- in cash.

5. As per the settlement, the minor child is in the custody of the respondent No.2. Petitioners who are present in person undertake that they shall not claim any rights contrary to the settlement. The undertaking is accepted.

6. Respondent no. 2 is present in court in person is represented by a counsel and identified by the IO. Respondent no. 2 submits that she has settled the disputes with the petitioners and is agreeable to the settlement and does not wish to press the criminal charges against the petitioners any further.

7. In view of the fact that the disputes between the petitioners and respondent no. 2 emanate out of a matrimonial discord and have been settled, 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.

8. In view of the above, the petition is allowed. FIR No. 279 of 2014 under Sections 498A/406/34 of the IPC read with Section 4 of the Dowry Prohibition Act registered at Police Station Welcome Colony, Delhi, and the consequent proceedings emanating there from are, accordingly quashed.

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

SEPTEMBER 28, 2018
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SANJEEV SACHDEVA, J

भारतमेव जयते