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

+ **CRL.M.C. 2768/2018**

MOHD.SAJID & ORS. Petitioners

Through: Mr. Atul Kumar, Adv.

versus

THE STATE OF NCT OF DELHI & ANR. Respondents

Through: Mr. Arun Kr. Sharma, Addl. PP for
the State with SI Shikshit Kumar
Mr. Sadaf Naaz and Mr. Mohd.
Shahwaz, Advs. for R-2

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **22.05.2018**

Crl. M.A. No. 9875/2018 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 2768/2018

1. The petitioners seek quashing of FIR No. 87 of 2013 under Sections 498A/406/34 of the IPC read with Section 4 of the Dowry Prohibition Act registered at Police Station Jyoti Nagar, New Delhi, based on a settlement. It is contended that the FIR was lodged consequent to a matrimonial discord.

2. Learned counsels for the parties submit that petitioner no. 1 (husband) and respondent no. 2 (wife) have already divorced as per the Muslim Rites and Rituals on 15.10.2017. It is further agreed between the

parties that the parties shall withdraw their respective cross complaints registered against each other.

3. Respondent no. 2 is present in court in person, represented by her counsel and is identified by the Investigating Officer. She submits that she has settled the dispute with the petitioner and is agreeable to the settlement and does not wish to press the criminal charges against the petitioner any further.

4. In view of the fact that the disputes between the petitioner 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 therefrom.

5. In view of the above, the petition is allowed. FIR No. 87 of 2013 under Sections 498A/406/34 of the IPC read with Section 4 of the Dowry Prohibition Act registered at Police Station Jyoti Nagar, New Delhi and the consequent proceedings there from are, accordingly quashed.

6. Order Dasti under signatures of the Court Master.

SANJEEV SACHDEVA, J

MAY 22, 2018
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