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

\+ CRL.M.C. 3888/2018 & CRL.M.A. 29237-29238/2018

TALIB & ORS ..... Petitioner

Through Mr.Mahavir Singh, Adv.

versus

STATE & ANR ..... Respondent

Through Mr.Mukesh Kumar, APP with SI Parbha Karan, PS Chhawla.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

O R D E R

% 31.10.2018

1. Vide the present petition u/s 482 CrPC, the petitioners seek quashing of FIR No.0163/2013 u/s 406/498A/34 IPC registered at P.S Chhawala, Delhi and all consequential proceedings emanating therefrom.

2. Mr.Mahavir Singh, learned counsel for the petitioners submits that the marriage between the petitioner no.1 and the respondent no.2 was solemnised on 05.07.2010 as per Muslim rites and ceremonies, whereafter they were blessed with a baby girl on 21.12.2014. He further submits that due to certain temperamental differences, even while living with the petitioners, the respondent no.2 made a complaint against them leading to the registration of the aforesaid FIR.

3. Mr. Singh submits that the parties, with the intervention of the elders of the family, have now arrived at a settlement before the Mediation Centre, Dwarka Courts, New Delhi on 28.07.2016 and the

petitioner no.1 and the respondent no.2 have decided to part ways, pursuant whereto, vide Talaknama dated 29.03.2017 the marriage between petitioner no.1 and respondent no.2 was dissolved. He further submits that the entire agreed amount of Rs.3 lakhs as per the settlement agreement has already been paid to the respondent no.2 and, therefore, prays that the aforesaid FIR and all proceedings emanating therefrom be quashed.

4. The petitioners as also the respondent no.2 alongwith her mother are present in Court and have been identified by the Investigating Officer. I have also interacted with the respondent no.2, who states that she has decided to resolve her differences with the petitioners of her own free will and has entered into the settlement without any coercion. She further states that she does not want to pursue the aforesaid criminal proceedings as she wants to move on in life and, therefore, does not want any further acrimony with the petitioners.

5. I have considered the submissions of the learned counsel for the parties and perused the record. Keeping in view the fact that the present FIR emanates from a matrimonial dispute, which now stands resolved between the parties, the ends of justice demand that the present proceedings be quashed, as no useful purpose will be served in continuing the criminal proceedings when the parties themselves have already resolved their differences and want to move on in life.

6. Accordingly, the petition is allowed and the captioned FIR alongwith consequential proceedings emanating therefrom are quashed, subject to the petitioners depositing a sum of Rs.10,000/- to

the Delhi High Court Advocates Welfare Trust within three weeks from today. A copy of the receipt of deposit of costs will be handed over to the Investigating Officer for production before the Trial Court.

7. The petition alongwith the pending application is disposed of in the above terms.

REKHA PALLI, J

OCTOBER 31, 2018
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