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

+ **CRL.M.C. 2991/2018**

ALI SHER & ORS

..... Petitioners

Through : Mr Prem Chand Gaganiya, Advocate.

versus

STATE (GOVT OF NCT OF DELHI) & ANR

..... Respondents

Through : Mr Kamal Kumar Anand, Advocate
for R-2.

Mr G.M.Farooqui, APP.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **28.05.2018**

Crl. M.A. 10542/2018(exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 2991/2018

1. Petitioners seek quashing of FIR No.1320/2015, under Sections 498A/406/34 IPC, read with Section 4 Dowry Prohibition Act, Police Station Seemapuri, based on a Settlement.

2. Subject FIR emanates out of a matrimonial discord. Petitioner No.1 is the husband of respondent No.2. Petitioner No.2 is the mother of petitioner No.1. Petitioner No.3 is the sister of petitioner No.1 and Petitioner No.4 is the father of petitioner No.1.

3. Parties have settled their dispute. The Memorandum of Settlement dated 03.02.2018 has been executed between the parties before the Delhi Mediation Centre, Karkardooma Courts, Delhi.

4. By way of settlement, a total sum of Rs. 2,50,000/- was agreed to be paid to respondent No.2 towards full and final settlement of all her claims. A sum of Rs.2 lakhs has already been paid and balance amount of Rs.50,000/- has been paid in cash, which is accepted by respondent No.2 in the Court today.

5. Respondent No.2 is present in Court in person, represented by counsel and is identified by the Investigating Officer. She confirms that settlement has taken place and further submits that the marriage between the parties has been dissolved by way of divorce in terms of Muslim Law on 11.04.2018. She also submits that she does not wish to press her complaint any further.

6. In view of the above and keeping in view of the fact that the FIR emanates from matrimonial discord and the parties have resolved their dispute and the Memorandum of Settlement dated 03.02.2018 has been executed between the parties before the Delhi Mediation Centre, Karkardooma Courts, Delhi and further respondent No. 2 does not wish to press her complaint, 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.

7. Accordingly, FIR No.1320/2015, under Sections 498A/406/34 IPC, read with Section 4 Dowry Prohibition Act, Police Station Seemapuri and the consequent proceedings emanating therefrom are hereby quashed.

8. Order Dasti under signatures of Court Master.

SANJEEV SACHDEVA, J

MAY 28, 2018

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