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

+ CRL.M.C. 3122/2018

MOHD HASIM & ORS

..... Petitioner

Through Mr.B.K.Srivastava, Adv.

versus

STATE (GOVT OF NCT OF DELHI) & ORS Respondent

Through Mr.Raghuvinder Verma, APP with
ASI Devender Kumar, PS Uttam Nagar.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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13.11.2018

1. Vide the present petition u/s 482 CrPC, the petitioners seek quashing of FIR No.1395/2015 u/s 323/354(A)/354(B)/506/509/34 IPC registered at Police Station Uttam Nagar, Delhi and all proceedings emanating therefrom, based on a settlement deed dated 29.08.2017 arrived at by the parties before Counselling Cell, Family Courts, Dwarka Courts.

2. Mr.B.K.Srivastava, learned counsel for the petitioners submits that the petitioners and the respondent no.2 are closely related and based on a misunderstanding, the respondent no.2 had lodged a complaint against the petitioners, leading to the registration of the aforesaid FIR. He, however, submits that the dispute between the parties now stands resolved and the parties have arrived at a settlement dated 29.08.2017 before Counselling Cell, Family Courts, Dwarka Courts.

3. Mr.Srivastava submits that pursuant to the settlement deed, a divorce deed has already been executed dissolving the marriage between the petitioner no.1's daughter and respondent no.2's brother by mutual consent. He further submits that a cross FIR was also registered based on a complaint by the petitioner no.1's daughter, for which appropriate proceedings for quashing are also pending before this Court. He submits that since the parties are closely related and have already resolved their disputes, the FIR and all proceedings emanating therefrom be quashed.

4. The petitioners as also the respondent no.2 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 submits that she does not want to pursue the aforesaid criminal proceedings any further and 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 misunderstanding between relatives, which now stands resolved, no useful purpose will be served in continuing the criminal proceedings when the parties themselves have already resolved their differences. In my view, the ends of justice demand that the FIR and consequential proceedings be quashed.

6. Accordingly, the petition is allowed and the captioned FIR and all consequential proceedings are quashed, subject to the petitioners

depositing a sum of Rs.10,000/- to the Delhi Police Martyr's Fund, A/C No.18200110036907, UCO Bank, Delhi, IFSC Code UCBA0001820 within two 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

NOVEMBER 13, 2018

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