

\$~3

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

+ **CRL.M.C. 3866/2018 & CrI.M.A. No.29186/2018**

SHABNAM KHAN Petitioner

Through: Mr.Rahul Verma, Adv.

versus

STATE & ANR. Respondents

Through: Mr.Mukesh Kumar, APP for the State
with SI Manoj Kumar, PS Malviya
Nagar.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **13.11.2018**

1. Vide the present petition under Section 482 Cr.P.C., the petitioners seek quashing of FIR No.SD-MN-000665/2017 under Section 380 of the IPC registered at Police Station Malviya Nagar, Delhi and all proceedings emanating therefrom, on the basis of a Deed of Settlement dated 06.07.2018 arrived at between the parties.

2. Learned counsel for the petitioner submits that the petitioner's niece is married to respondent no.2. He submits that due to a misunderstanding between the parties, a complaint was lodged by respondent no.2 against the petitioner, leading to registration of the aforesaid FIR. However, subsequently, with the intervention of the elders of the family, the parties have resolved their disputes and have

entered into a Deed of Settlement dated 06.07.2018. He, therefore, prays that the captioned FIR and consequential proceedings be quashed.

3. The petitioner as also the respondent no.2 are present in Court and have been identified by the Investigating Officer. I have interacted with the respondent no.2 who submits that the petitioner is the maternal aunt of his wife and he has entered into the aforesaid settlement out of his own free will. He submits that the petitioner is closely related to his wife and he, therefore, does not want the criminal proceedings to continue any longer as it will create acrimony between him and his wife, who is niece of the petitioner. He, therefore, prays that the FIR and consequential proceedings be quashed.

4. I have considered the submissions made by the learned counsel for the parties and perused the record. Keeping in view the fact that the FIR emanates from a dispute between close family members which already stands resolved amongst them, the continuation of criminal proceedings will be an exercise in futility and would create further acrimony between the parties who are closely related to each other. The ends of justice demand that the FIR and consequential proceedings be quashed.

5. For the aforesaid reasons, the petition is allowed and the captioned FIR and all consequential proceedings are quashed, subject to costs of Rs. 10,000/- payable by the petitioner to 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 learned Trial Court on the next date.

6. The petition and the pending application are disposed of in the above terms.

REKHA PALLI, J

NOVEMBER 13, 2018

gm