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

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Judgment delivered on: 10.08.2018

+ CRL.M.C. 4047/2018

SALEEM BABU & ORS

..... Petitioners

versus

THE STATE & ANR

..... Respondents

Advocates who appeared in this case:

For the Petitioners : Ms. Ifat Sultana with Mr. Nadeem
Hussain, Advocates.

For the Respondent: Mr. Panna Lal Sharma, APP for the State.
SI Shri Gopal, PS Shakar Pur.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT
10.08.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl.M.A.29776/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 4047/2018

1. Petitioners seek quashing of FIR No.646/2013 under Sections
406/498A/34 IPC, Police Station Shakarpur.

2. Subject FIR emanates out of matrimonial discord. Petitioner No.1 is the husband of respondent No.2. Petitioner Nos.2 and 3 are the father-in-law and mother-in-law of the respondent No.2. Petitioner Nos.4 and 5 are the brother-in-law of the respondent No.2. Petitioner No.6 is the sister-in-law of the respondent No.2.

3. Learned counsel for the petitioners submits that the parties have settled their disputes through the process of mediation held before Karkardooma Courts on 21.04.2018. The divorce between the parties has already taken place on 15.09.2015 as per Muslim Law.

4. Respondent No.2 was to be paid a total sum of Rs.3,90,000/- in full and final settlement of all her claims. A sum of Rs.1,00,000/- has already been paid. The balance sum of Rs.2,90,000/- has been paid to the respondent No.2 in cash today outside the Court, which is acknowledged. All the other articles including vehicle have been returned to the respondent No.2.

5. As per the settlement, custody of the two minor children born out of wedlock is to remain with respondent No.2. The petitioner, who is present in Court in person, undertakes that he shall not claim any rights contrary to the settlement terms. The undertaking is accepted.

6. The respondent No.2 is present in person and is identified by the Investigating Officer. She confirms that she has received the entire amount. She submits that she has settled her disputes with the

petitioners and does not wish to press charges against the petitioners and prosecute the complaint any further.

7. In view of the fact that the proceedings emanate out of a matrimonial discord and the parties have fully and finally settled their disputes and the respondent No.2 has stated that she does not wish to press the complaint any further and the fact divorce between the parties has already taken place on 15.09.2015 as per Muslim Law, 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.

8. In view of the above the petition is allowed, FIR No.646/2013 under Sections 406/498A/34 IPC, Police Station Shakarpur and the consequent proceedings emanating there from are quashed.

9. Order *Dasti* under the signatures of the Court Master.

SANJEEV SACHDEVA, J

AUGUST 10, 2018
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