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

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Judgment delivered on: 23.08.2018

+ CRL.M.C. 4241/2018

NADEEM & ORS.

..... Petitioners

versus

STATE OF DELHI & ORS.

..... Respondents

Advocates who appeared in this case:

For the Petitioners : Mr. Yogesh Kr. Rana, Adv.

For the Respondent: Mr. Kamal Kr. Ghai, APP for the State with IO

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

23.08.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl.M.A.30483/2018 (Exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 4241/2018

1. Petitioners seek quashing of FIR No.689/2015 under Sections 406/498A/34 IPC read with Section 4 of Dowry Prohibition Act registered at Police Station Welcome, Delhi, based on a settlement.

2. Subject FIR emanates out of matrimonial discord. Petitioner

No.1 is the husband of respondent No.2 and petitioner no. 2 to 6 are the other family members of petitioner no. 1.

3. Learned counsel for the petitioners submits that the parties have settled their disputes through the process of mediation held before Delhi Mediation Centre, Karkardooma Courts on 09.07.2018. The divorce between the parties has already taken place on 22.02.2016 as per Muslim Law.

4. Respondent No.2 has already received the Mehar amount as well as other articles as per the settlement terms. Affidavit is filed. The same is taken on record.

5. 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 against the petitioners.

6. 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 states that she does not wish to press the complaint any further and the fact divorce between the parties has already taken place on 22.02.2016 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.

7. In view of the above, the petition is allowed. FIR No.689/2015 under Sections 406/498A/34 IPC read with Section 4 of Dowry Prohibition Act registered at Police Station Welcome, Delhi and the consequent proceedings emanating there from are quashed.

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

AUGUST 23, 2018
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SANJEEV SACHDEVA, J