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

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Judgment delivered on: 30.08.2018

+ CRL.M.C. 4396/2018

SALEEM & ORS

..... Petitioners

versus

STATE (GOVT OF NCT OF DELHI) & ANR..... Respondents

Advocates who appeared in this case:

For the Petitioners : Mr. Harender Kumar, Adv.

For the Respondent: Mr. Panna Lal Sharma, APP for the
State with ASI Surinder Dutt, P.S.Hari Nagar.
Mr. Siddharth Narang, Advocate for
respondent No.2.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

30.08.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl.M.A.31006/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL. M.C. 4396/2018

1. The petitioners seek quashing of FIR No.208/2017 under Sections 498A/406/34 IPC, Police Station Hari Nagar.
2. The subject FIR emanates out of matrimonial discord.

3. Learned counsel for the petitioners submits that the disputes between the parties have been settled before the Delhi Mediation Centre, Tis Hazari Court dated 05.12.2017. The parties have already divorced on 23.07.2018 as per Muslim Law.

4. The respondent No.2 was to be paid a total sum of Rs.9,50,000/- in full and final settlement of all her claims. A sum of Rs.4,50,000/- has already been paid. The balance sum of Rs.4,50,000/- has been paid to the respondent No.2 by way of following Demand Drafts:-

(i) Demand Draft No.622467 dated 30.07.2018 for Rs.1,50,000/-;

(ii) Demand Draft No.622468 dated 30.07.2018 for Rs.1,50,000/- and

(iii) Demand Draft No.622469 dated 30.07.2018 for Rs.1,50,000/-.

5. The respondent No.2 is present in person, represented by counsel and is identified by the Investigating Officer. 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.

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 has stated that she does not wish to

press the complaint any further and the fact that the parties had already divorced on 23.07.2018 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.208/2017 under Sections 498A/406/34 IPC, Police Station Hari Nagar and the consequent proceedings emanating there from are quashed.

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

AUGUST 30, 2018

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SANJEEV SACHDEVA, J