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

+ CRL.M.C. 5558/2018 & CRL.M.A. 35423-35424/2018
MEHERBAN & ORS Petitioner

Through Ms.Shashi Shokeen with Mr.Rajeev
Ranjan, Advs.

versus

STATE (GOVT OF NCT OF DELHI) & ANR Respondent
Through Mr.Mukesh Kumar, APP with SI
Amolak, PS Najafgarh.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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31.10.2018

1. Vide the present petition u/s 482 CrPC, the petitioners seek quashing of FIR No.0429/2016 u/s 406/498A/34 IPC registered at P.S Najafgarh, Delhi, on basis of a settlement.
2. Ms.Shashi Shokeen, learned counsel for the petitioners submits that the marriage between the petitioner no.1 and the respondent no.2 was solemnised on 02.04.2014 as per Muslim rites and ceremonies but they could not adjust with each other due to temperamental differences. As a result thereof the respondent no.2 made a complaint against the petitioners leading to the registration of the aforesaid FIR.
3. Ms. Shokeen submits that after the registration of the FIR, the parties with the intervention of elders have arrived at a settlement before the learned Mediation Centre, Dwarka Court, Delhi on 18.04.2018 whereby they have resolved their differences for the welfare of their minor child namely Aarzoo and are now happily

living together since May, 2018. He therefore prays that the aforesaid FIR and all consequential proceedings emanating therefrom be quashed.

4. All the petitioners and 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 states that she has voluntarily resolved all her differences with the petitioners and she is happily residing with the petitioner no.1. She further submits that she does not want to proceed with the criminal case any further as it will hamper her peaceful matrimonial life.

5. I have considered the submissions of the learned counsel for the parties and perused the record. Keeping in view the fact that the FIR emanates from a matrimonial dispute which already stands resolved and petitioner no.1 and respondent no. 2 are now living a happy married life no useful purpose would be served in continuing with the present aforesaid proceedings. Interest of justice demands that the present proceedings be quashed.

6. For the aforesaid reasons, the petition is allowed and the captioned FIR and all consequential proceedings are quashed.

7. The petition alongwith pending application is disposed of in the above terms.

REKHA PALLI, J

OCTOBER 31, 2018

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