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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5591/2018 & CRL.M.As.35546-47/2018**
USHMAN KHAN Petitioner

Through: Ms. Aishwarya Rao, Adv.
versus

STATE (NCT OF DELHI) & ANR Respondents

Through: Mr. Kamal Kumar Ghei, APP
SI Sunil Chandra, PS Moti
Nagar
R-2 in person along with her
Advocate (name not given).

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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01.11.2018

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.117/2010, under Sections 498-A/406/34 of the Indian Penal Code, 1860 (IPC), registered with Police Station Moti Nagar, Delhi and the proceedings emanating therefrom.
2. Learned counsel for the parties submitted that a settlement was arrived at between the parties before the Counselling Cell, Tis Hazari Courts, Delhi and a settlement deed dated 31.10.2017 was executed between the parties, in terms whereof the parties have divorced each other as per Muslim rites and customs.
3. Learned counsel for the respondent No.2 as well as Investigation Officer (I.O.) present in the Court has identified the petitioner as well as the respondent No.2. The respondent No.2 present in the Court submitted that the petitioner has divorced her as

per the Muslim rites and customs. The respondent No.2 further submitted that no amount is due from the petitioner now. The respondent No.2 submitted that present petition under Section 482 of Cr.P.C. may be allowed and the aforesaid FIR as well as the proceedings emanating therefrom may be quashed.

4. In view of the aforesaid facts, the settlement effected between the parties before the Counselling Cell, Tis Hazari Courts, Delhi and the divorce has already taken place between the parties, this Court is of the view that no fruitful purpose would be served in keeping them entangled in the criminal proceedings. Accordingly, in the interest of justice, FIR No.117/2010, under Sections 498-A/406/34 of the IPC, registered with Police Station Moti Nagar, Delhi and the proceedings emanating therefrom are quashed.

5. Petition is disposed of in above terms. CRL.M.A.35546/2018 & CRL.M.A. 35547/2018 are also disposed of.

CHANDER SHEKHAR, J

NOVEMBER 01, 2018/rk