

\$~23

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

+ **CRL.M.C. 6326/2018**

ASH MOHD. & ORS

..... Petitioners

Through: Mr.Irfan Khan, Adv. with petitioners
in person.

versus

STATE OF NCT OF DELHI & ORS

..... Respondents

Through: Ms.Manjeet Arya, APP with SI
Ashwani, PS Jyoti Nagar
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

%

13.12.2018

1. Vide the present petition under Section 482 Cr.P.C, the petitioners seek quashing of FIR No.193/2015 u/s 498A/406/34 IPC registered at P.S. Jyoti Nagar, Delhi and all proceedings emanating therefrom on the basis of a settlement arrived at before the Delhi Mediation Centre, Karkardooma Courts, Delhi on 03.05.2016.

3. Learned counsel for the petitioners submits that the marriage between the petitioner no.1 and the respondent no.2 was solemnised on 11.12.2009 as per Muslim rites and ceremonies, whereafter they were blessed with a baby boy. After the birth of the baby boy, due to a misunderstanding, the respondent no.2 left her matrimonial home and lodged a complaint against the petitioners leading to the

registration of the captioned FIR. He submits that the respondent no.2 also filed a petition under Section 12 of the Domestic Violence Act besides under complaints under the Cr.P.C.

4. Learned counsel for the petitioners submits that the parties have now under the aegis of Delhi Mediation Centre, Karkardooma Courts, Delhi arrived at an amicable settlement on 03.05.2016 and decided to resolve all their disputes and have been living together ever since the date of settlement. He further submits that as per the settlement, the parties are now living a happy married life and, therefore, prays that the aforesaid FIR and all proceedings emanating therefrom be quashed.

5. The petitioners as also the respondent no.2 are present in Court and have been identified by the Investigating Officer. I have also interacted with the respondent no.2, who states that she has decided to resolve her differences with the petitioners of her own free will and is now happily residing with the petitioners for the last 2 ½ years, during which period she was also blessed with a baby girl who is about 1 ½ years old. She further states that she has no complaints whatsoever of any kind against the petitioners and does not want the aforesaid criminal proceedings to continue any further, as it will disrupt her marital life. She, therefore, prays that the aforesaid FIR and all proceedings emanating therefrom be quashed.

6. 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 between the parties, as a result whereof the petitioner no.1 and the

respondent no. 2 are now living a happy married life as also the fact that the respondent no.2 categorically states that she does not want the criminal proceedings to continue, no useful purpose will be served in continuing with the criminal proceedings. The ends of justice demand that the FIR and consequential proceedings be quashed.

7. For the aforesaid reasons, the petition is allowed and the captioned FIR and proceedings emanating therefrom are quashed.

8. The petition is disposed of in the above terms.

REKHA PALLI, J

DECEMBER 13, 2018

gm