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

+ **CRL.M.C. 6150/2018**

JISHAN & ORS

..... Petitioner

Through

Mr.B.B. Sharma, Adv. with
petitioners in person.

versus

THE STATE & ANR

..... Respondents

Through

Mr.Raghuvinder Verma, APP for the
State.
SI Devender, PS Sadar Bazar.
Mr.Bakshish Singh, Adv. with
Respondent no.2 in person.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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05.12.2018

1. Vide the present petition under Section 482 Cr.P.C, the petitioners seek quashing of FIR No.388/2014 under Sections 498A/406/34 IPC registered at P.S. Sadar Bazar, Delhi and all proceedings emanating therefrom, based on a Settlement Agreement dated 13th November, 2014 entered into by the parties.

2. Learned counsel for the petitioners submits that the marriage between the petitioner no.1 and the respondent no.2 was solemnised on 25th April, 2008 as per Muslim rites and ceremonies and even though they stayed together for some time, the respondent no.2 started living separately on account of temperamental differences. As a result thereof, she lodged a complaint against the petitioners which led the

registration of the captioned FIR.

3. Learned counsel for the petitioners further submits that the parties have now with the intervention of family members, resolved their disputes and have entered into a settlement dated 13th November, 2014. Pursuant thereto, the marriage between the petitioner no.1 and the respondent no.2 already stands dissolved in November, 2014 itself, whereafter the respondents no.2 has re-married. He submits that the petitioners are willing to pay any costs that may be imposed by this Court and, therefore, prays that the aforesaid FIR and all proceedings emanating therefrom be quashed.

4. The petitioners as also the respondent no.2 are present in Court and have been identified by the Investigating Officer. The respondent no.2 is also represented by a counsel. I have also interacted with the respondent no.2, who states that she has resolved her disputes with the petitioners of her own free will and has entered into the aforesaid settlement dated 13th November, 2014 without any coercion. She further submits that she has already re-married on 31st March, 2016 and, therefore, does not want the criminal proceedings to continue as the same will cause not only hardship to her but will also disrupt her 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 present FIR emanates from a matrimonial dispute which now stands resolved between the parties, no useful purpose will be served in continuing with the criminal proceedings, especially when the parties themselves want to move on in life. The ends of justice demand that

the captioned FIR and consequential proceedings be quashed.

6. Accordingly, the petition is allowed and the captioned FIR and consequential proceedings are quashed, subject to the petitioners paying a sum of Rs.25,000/- as costs to the Delhi High Court Bar Association Employees Welfare Fund within ten days from today. A copy of the receipt of deposit of costs will be handed over to the Investigating Officer for production before the Trial Court.

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

REKHA PALLI, J

DECEMBER 05, 2018/aa