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

+ **W.P.(CRL) 2968/2017**

SANJEEV KUMAR VASHISHTHA Petitioner

Through: Ms.Seema Mishra, Advocate with
petitioner in person

versus

STATE GOVT OF NCT OF DELHI & ORS Respondents

Through: Mr.R.S.Kundu, ASC for the State
with Mr.PremSagar Pal & Mr.Bhagat
Singh, Advocates with SI R.P.Singh
PS Dwarka South
Mr.Satyendra Kumar & Ms.Sunita
Bhardwaj, Advocates for R-2 with
R-2 in person

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

% **25.10.2017**

CrI.M.A. No.17252/2017

1. Exemption allowed subject to all just exceptions.
2. Application is disposed of.

W.P.(CRL) 2968/2017

1. The present writ petition has been filed by the petitioner under Article 226 of the Constitution of India read with Section 482 CrPC for quashing of case FIR No.317/2016 under Sections 498-A/406/34 IPC registered at P.S. Dwarka South, Delhi and the consequent proceedings emanating therefrom on the basis of settlement arrived at between the parties before the

Mediation Centre Dwarka, Delhi.

2. The facts of the present case are that respondent No.2 got married to petitioner on 7th December, 2014 according to Hindu rites and ceremonies. Since the parties could not live together due to differences, they started living separately since 9th December, 2015. Thereafter, respondent No.2 filed a criminal complaint against the petitioner which resulted into registration of FIR in question. During the pendency of above proceedings, the matter was referred to Mediation Centre, Dwarka Court where parties arrived at an amicable settlement.

3. It is stated in the petition that **the parties have settled the matter before Mediation Centre, Dwarka Court, Delhi and copy of the said settlement dated 1st October, 2016 has been placed on record as Annexure-C.**

4. In terms of full and final settlement arrived at between the parties, today learned counsel for the Petitioner has handed over to Respondent No.2 a demand draft dated 10th October, 2017 for a sum of ₹4 lakhs, which the respondent No.2 has accepted. Copy of demand draft has also been placed on record.

5. Respondent No.2 is present in person and submits that she has settled the matter with the petitioner before Mediation Centre, Dwarka Court, Delhi and in terms of said settlement, today she has received Rs.4 lakhs by way of demand draft from the petitioner. Respondent No.2 further submits that she has no objection if the FIR in question is quashed qua the Petitioners.

6. Learned counsel for the petitioner and complainant submit that after the matter in dispute has been amicably settled between the parties, no purpose would be served in prosecuting the petitioner, therefore the FIR in

question and criminal proceedings emanating therefrom may be quashed.

7. The FIR registered against the present petitioner is for committing the offences punishable under Sections 498-A/406/34 IPC. Offence punishable under Section 498-A IPC is a non-compoundable offence.

8. In view of the legal position laid down in ***Gian Singh v State of Punjab & Anr. 2012 (9) SCALE 257*** and amicable settlement arrived at between the parties, I am of the considered view that no useful purpose would be served by continuing the criminal proceedings against the petitioner, which will only be an exercise in futile and wastage of precious time of the Court.

9. Accordingly, in terms of the settlement, case FIR No.317/2016 under Sections 498-A/406/34 IPC registered at P.S. Dwarka South, Delhi and consequential proceedings arising therefrom are hereby quashed.

Order *dasti*, as prayed.

PRATIBHA RANI, J.

OCTOBER 25, 2017

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