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

+ CRL.M.C. 252/2018 & CrI. M.A. 984/2018

PUNEET MISHRA & ANR. Petitioners

Through: Mr. Girish Chander and Ms. Meena
Gupta, Advs.

versus

STATE & ANR. Respondents

Through: Mr. Arun Kr. Sharma, Addl. PP for
the State with W/ASI Sanjani Devi
Ms. Renu Khanna and Mr. Rekha
Khanna, Advs. with R-2 in person

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **18.01.2018**

CrI. M.A. 985/2018 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 252/2018

1. The petitioners seek quashing of FIR No. 255 of 2016 under Sections 498A/406/34 of IPC and Section 4 of Delhi Police Act, 1961 registered at Police Station North Rohini, Delhi. It is contended that the FIR was lodged consequent to a matrimonial discord.

2. The petitioner no. 1 is husband of respondent no. 2. Petitioner no. 2 is mother of petitioner no. 1 and petitioner no. 3 and 4 are the sisters of petitioner no. 1.

3. It is contended that the Parties have entered into a settlement

before the Delhi Mediation Centre, Rohini Courts, Delhi and the Settlement Agreement dated 01.04.2017 has been executed. As per the settlement, a sum of Rs. 3 lakhs was to be paid to respondent no.

2. A sum of Rs. 1,00,000/- has also been paid in two equal instalments at the time of recording of First and Second Motion respectively.

4. The marriage between the parties has been dissolved by mutual consent and a decree of divorce has been passed on 22.12.2017. A balance sum of Rs. 2 lakhs has been handed over to respondent no. 2 by way of Demand Draft No. 485267 dated 16.01.2018 issued by Canara Bank.

5. Respondent no. 2 is present in court in person, represented by her counsel and is identified by the Investigating Officer. She submits that she has settled the dispute with the petitioners and is agreeable to the settlement and does not wish to press the complaint against the petitioners any further.

6. In view of the fact that the disputes between the petitioners and respondent no. 2 have been settled, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the ultimate guiding factor. It would be expedient to quash the subject FIR and the consequent proceedings emanating therefrom.

7. In view of the above, the petition is allowed. The FIR No. 255

of 2016 under Sections 498A/406/34 of IPC and Section 4 of Delhi Police Act, 1961 registered at Police Station North Rohini, Delhi and the consequent proceedings therefrom are quashed.

8. Order Dasti under signatures of the Court Master.

SANJEEV SACHDEVA, J

JANUARY 18, 2018

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