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

+ **CRL.M.C. 388/2018 & CrI. M.A. 1488/2018**

ARSHDEEP SINGH & ORS

..... Petitioners

Through: Mr. Bhaskar Vali, Adv.

versus

STATE (GOVT OF NCT OF CDELHI) & ORS Respondents

Through: Mr. Mukesh Kumar, Addl. PP for the
State with SI Anurag Tyagi
Mr. S.S. Tyagi and Ms. Lata Bhati,
Advts. for R-3

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **08.05.2018**

1. The petitioners seek quashing of FIR No. 238 of 2015 under Sections 498A/406/34 of the IPC Police Station Sarai Rohilla, Delhi, based on a settlement. It is contended that the FIR was lodged consequent to a matrimonial discord.

2. Learned counsels for the parties submit that the parties have settled their disputes and have amicably dissolved their marriage by mutual consent and decree of divorce dated 31.01.2017 has been passed.

3. It is further submitted on behalf of the parties that parties had entered into the settlement recorded before the Family Court at the time of grant of second motion. As per the settlement, a total sum of Rs. 31 lakhs has been agreed to be paid to respondent no. 3 in full and final settlement of all her claims. Additionally, respondent no. 3 was to be handed over a gold

necklace. The said amount of Rs. 31 lakhs has already been paid to respondent no. 3 which is acknowledged by respondent no. 3 who is present in Court. In so far as the gold necklace is concerned, since the same was not found, a sum of Rs. 75,000/- is paid to respondent no. 3 in cash in Court Today.

4. Respondent no. 3 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 criminal charges against the petitioners any further.

5. In view of the fact that the disputes between the petitioner and respondent no. 3 emanate out of a matrimonial discord and 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.

6. In view of the above, the petition is allowed FIR No. 238 of 2015 under Sections 498A/406/34 of the IPC Police Station Sarai Rohilla, Delhi and the consequent proceedings therefrom are, accordingly quashed.

7. Order Dasti under signatures of the Court Master.

SANJEEV SACHDEVA, J

MAY 08, 2018

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