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

+ CRL.M.C. 445/2018

MANISH @ MUKESH & ORS

..... Petitioners

Through: Mr. Avadh Pratap Singh and Ms.
Sucheta Kumari, Advs.

versus

THE STATE GOVT OF NCT OF DELHI & ANR Respondents

Through: Mr. Anita Abraham, Addl. PP for the
State with SI Sachin Kumar
Mr. Vishy Singhal and Mr. Mohit
Gupta, Advs. for R-2

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **30.01.2018**

1. The petitioners seek quashing of FIR No. 609 of 2015 under Sections 452/323/308/506/34 of the IPC Police Station Bhajanpura, Delhi. It is contended that the FIR was lodged consequent to a matrimonial discord.

2. Respondent no. 2-complainant is the brother of the wife of petitioner no. 1. Petitioner no. 2 is brother of petitioner no. 1 and petitioner no. 3 is the cousin brother of petitioner no. 1. The subject FIR also records that in the alleged altercation, the mother of respondent no. 2 – Smt. Suman Gupta was also sustained injuries.

3. It is contended that the Parties have entered into a settlement and the Settlement Deed dated 21.07.2017 has been executed. As per the settlement, a sum of Rs. 5 lakhs were to be paid to the wife. The

said sum of Rs. 5,00,000/- is to be paid in two equal instalments at the time of recording of First and Second Motion respectively.

4. Respondent No. 2/Complainant, Wife of petitioner Smt. Sapna along with her mother Smt. Suman Gupta are present in court in person, represented by their counsel and are identified by the Investigating Officer. They submit that they have settled the disputes with the petitioners and are agreeable to the settlement and do not wish to press the criminal charges against the petitioners any further.

5. In view of the fact that the disputes between the petitioners and respondent no. 2 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. 609 of 2015 under Sections 452/323/308/506/34 of the IPC Police Station Bhajanpura, Delhi and the consequent proceedings therefrom are, accordingly quashed.

7. Order Dasti under signatures of the Court Master.

SANJEEV SACHDEVA, J

JANUARY 30, 2018

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