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

+ **CRL.M.C. 812/2018**

DEEPAK SHARMA & ORS

..... Petitioners

Through: Ms. Jagat Singh, Adv.

versus

THE STATE(GOVT.OF NCT OF DELHI) Respondent

Through: Mr. Mukesh Kumar, Addl. PP for the
State with ASI Kumher Singh
Ms. Sangeeta Mohan, Adv. for R-2

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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16.02.2018

Crl. M.A. No. 2959/2018 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 812/2018

1. At the request of learned counsel for the petitioner, respondent no. 7 who is a minor and represented through her father- respondent no. 2 is exempted from personal appearance.
2. The petitioners seek quashing of FIR No. 416 of 2015 under Sections 498A/406/34 of the IPC Police Station Jaitpur, Delhi. It is contended that the FIR was lodged consequent to a matrimonial discord.
3. 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 11.10.2017 has been passed. A total sum of Rs. 2.40 lakhs have been agreed to be paid to respondent no. 2. A sum of Rs.1.80 lakhs has already been paid and the balance sum of Rs. 60,000/- (in cash) has been paid to respondent no. 2 today in the Court.

4. 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 criminal charges against the petitioners any further. It is further submitted on behalf of the parties that the terms of settlement were recorded at the time of recording of Second Motion.

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. 416 of 2015 under Sections 498A/406/34 of the IPC Police Station Jaitpur, Delhi and the consequent proceedings therefrom are, accordingly quashed.

7. Order Dasti under signatures of the Court Master.

SANJEEV SACHDEVA, J

FEBRUARY 16, 2018

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