

\$~70

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 560/2018**
JAGJIT SINGH Petitioner

Through: Mr. M.N. Siddiqui, Adv.

versus

STATE & ANR Respondent
Through: Mr. Akshai Malik, Addl. PP for the
State with SI Anuj Singh
Ms. Kirtika Singh, R-2 in person.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **02.02.2018**

Crl. M.A. No. 2048/2018 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 560/2018

1. The petitioner seeks quashing of FIR No. 667 of 2007 under Sections 498A/406 of the IPC Police Station Hazart Nizamuddin, New Delhi on the basis of 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 28.02.2017 has been passed. A total sum of Rs. 55 lakhs has been agreed to be paid to respondent no. 2. A sum of Rs. 50 lakhs has already been paid and the balance sum of Rs. 5,00,000/- has been paid to respondent no. 2 by way of Demand Draft No. 531510 dated 29.01.2018 issued by IDFC State Bank of India today in the Court.
3. Respondent no. 2 is present in court in person. She submits that she

has settled the dispute with the petitioner and is agreeable to the settlement and does not wish to press the criminal charges against the petitioner any further. It is further submitted on behalf of the parties that parties had entered into the settlement before the Delhi Mediation Centre, Saket Courts, New Delhi.

4. Respondent no. 2 also undertakes that the petition filed under Section 482 & 483 Cr. P.C. seeking summoning of other accused being Crl. M.C. 2100/2012 shall be withdrawn. She further submits that as agreed between the parties, a sum of Rs. 35 lakhs shall be placed in a fixed deposit for in the name of the daughter of the parties. The statement is taken on record.

5. In view of the fact that the disputes between the petitioner 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. 667 of 2007 under Sections 498A/406 of the IPC Police Station Hazart Nizamuddin, New Delhi and the consequent proceedings therefrom are, accordingly quashed.

7. Order Dasti under signatures of the Court Master.

SANJEEV SACHDEVA, J

FEBRUARY 02, 2018/‘rs’