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

\+ **CRL.M.C. 591/2018**

SANJAY & ORS

..... Petitioners

Through : Petitioners in person.

versus

THE STATE GOVT OF NCT OF DELHI & ANR

..... Respondent

Through : Mr Arun Kumar Sharma, Addl. PP for the State.
SI Jasmer Singh, PS Jahangir Puri.

CORAM:
HON'BLE MR. JUSTICE SANJEEV SACHDEVA

O R D E R

% 21.03.2018

Crl. M.A. 2146/2018(exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 591/2018

1. By this petition, petitioners seek quashing of FIR No.220/2012 under Sections 498-A/406 IPC, Police Station Jahangir Puri.

2. The subject FIR emanates out of matrimonial discord. Petitioner No.1 is the husband of respondent No.2. Petitioner Nos.2 to 4 are the relations of petitioner No.1.

3. Parties have settled their dispute. The Settlement Terms are recorded in judgment dated 21.10.2016, at the time of the passing of the decree of divorce on mutual consent.

4. By way of settlement, a total sum of Rs.4,50,000/- was agreed to be paid to respondent No.2 towards full and final settlement of all her claims. A sum of Rs.3,05,000/- has already been paid and balance amount of Rs.1,50,000/- has been handed over to respondent No.2 by way of pay order being No.788346 dated 20.01.2018 issued by the Punjab National Bank, Adarsh Nagar Branch, New Delhi, which is accepted in the Court today. Additional sum of Rs.5,000/- has been handed over to respondent No.2 in the Court today.

5. Further, it is agreed that the dowry articles lying in the Malkhana Police Station be also released in favour of respondent No.2. Petitioner submits that he has no objection for the same.

6. Additional amount of Rs.30,000/- has been deposited in the form of the Fixed Deposit Receipt with the Trial Court. It is also agreed that the said FDR be released in favour of respondent No.2.

7. Respondent No.2 is present in Court in person, is identified by the Investigating Officer. She confirms that the settlement has taken place and that the marriage between the parties has been dissolved by way of decree of divorce dated 21.10.2016. She also submits that she does not wish to press her complaint any further.

8. In view of the above and keeping in view of the fact that the

FIR emanates from matrimonial discord and the parties have resolved their dispute through a Settlement, which has been executed between the parties and respondent No. 2 does not wish to press her complaint, 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.

9. The goods lying in the Police Station Malkhana be released in favour of respondent No.2 within a period of ten days from today.

10. The Trial Court is directed to release the FDR of Rs. 30,000/- in favour of respondent No.2 within a period of ten days.

11. Accordingly, FIR No. 220/2012 under Sections 498-A/406 IPC, Police Station Jahangir Puri and the consequent proceedings emanating therefrom are hereby quashed.

12. Order Dasti under signatures of Court Master.

SANJEEV SACHDEVA, J

MARCH 21, 2018
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