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

+ **CRL.M.C. 690/2018**

BHAGWAN SINGH NEGI & ORS

..... Petitioners

Through Mr. Brijesh Oberoi with Ms.
Lakhshana Oberoi, Advocates.

versus

STATE & ANR

..... Respondents

Through Mr. Arun Kumar Sharma, APP for
State.
Mr. Akmal Khan, Advocate for
respondent No.2.
ASI Aman Kumar, PS
CWC/Nanakpura.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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09.02.2018

Crl.M.A. 2484/2018 (exemption)

Exemption is allowed subject to all just exceptions.

Crl.M.A. 2485/2018 (filed on behalf of petitioner No.5 seeking exemption from personal appearance)

For the reasons stated in the application, the application is allowed.

Petitioner No.5 is exempted from personal appearance.

CRL.M.C.690/2018

1. The petitioners seek quashing of FIR No.59/2016 under Sections 498A/406/34 IPC, Police Station Crime (Women) Cell, Nanakpura, New Delhi.

2. The subject FIR emanates out of matrimonial discord. Petitioner No.1 is the husband of respondent No.2.

3. Learned counsel for the petitioners submits that the parties have entered into a settlement agreement dated 23.02.2017 through the process of mediation, held at CAW Cell Nanakpura (mediation under the auspices of the Delhi High Court Legal Services Committee). The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 26.10.2017.

4. The respondent No.2 was to be paid a total sum of Rs.6,00,000/- and one gold set in full and final settlement of all her claims. A sum of Rs.4,00,000/- has been paid and one gold set has already been given. The balance sum of Rs.2,00,000/- has been paid to the respondent No.2 by way of Demand Draft No.557808 dated 08.02.2018 drawn on State Bank of India.

5. The respondent No.2 is present in person, represented by counsel and is identified by the Investigating Officer. She submits that she has settled her disputes with the petitioners and does not wish to press charges against the petitioners and prosecute the complaint any further.

6. In view of the fact that the proceedings emanate out of a matrimonial discord and the parties have fully and finally settled their disputes and the respondent No.2 has stated that she does not wish to press the complaint any further and the fact that the parties have already been divorced by way of a decree of divorce by mutual

consent, passed on 26.10.2017, and in the interest of justice, it would be expedient to quash the subject FIR and the consequent proceedings emanating there from.

7. In view of the above, FIR No.59/2016 under Sections 498A/406/34 IPC, Police Station Crime (Women) Cell, Nanakpura, New Delhi and the consequent proceedings emanating there from are quashed.

8. Order *Dasti* under the signatures of the Court Master.

SANJEEV SACHDEVA, J

FEBRUARY 09, 2018
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