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

+ **CRL.M.C. 741/2018**

RAJENDER PARKASH & ANR

..... Petitioners

Through: Mr. S.N. Shukla and Mr. I.S. Sharma,
Adv.

versus

THE STATE GOVT OF NCT OF DELHI & ANR..... Respondents

Through: Mr. Mukesh Kumar, Addl. PP for the
State with ASI Balwant
Ms. Krishna Mohan, Adv. For R-2

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **13.02.2018**

Crl. M.A. No. 2677/2018 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 741/2018 & Crl. M.A. 2678/2018

1. The petitioners seek quashing of FIR No. 29 of 2012 under Sections 498A/406/34 of the IPC Police Station CAW Cell, Nanak Pura, 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 28.11.2017 has been passed. A total sum of Rs. 3.40 lakhs has been agreed to be paid to respondent no. 2. A sum of Rs. 2.65 lakhs has already been paid and the balance sum of Rs. 75,000/- has been paid to respondent no. 2 by way of Bankers

Cheque/Demand Draft No. 693085 dated 09.02.2018 issued by State Bank of India, today in the Court.

3. 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 parties had entered into the settlement and Settlement Deed/MOU dated 17.05.2017 has been executed.

4. 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.

5. In view of the above, the petition is allowed. FIR No. 29 of 2012 under Sections 498A/406/34 of the IPC Police Station CAW Cell, Nanak Pura, New Delhi and the consequent proceedings therefrom are, accordingly quashed.

6. Order Dasti under signatures of the Court Master.

SANJEEV SACHDEVA, J

FEBRUARY 13, 2018

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