

\$~18, 19, 22 & 23

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

+ CRL.M.C. 5064/2017 & CrI. M.A. 19965/2017

ASHISH GUPTA & ANR

..... Petitioners

Through: Mr. Neeraj Bhardwaj and Ms. Pooja Bhardwaj, Advs. with petitioners in person.

versus

STATE (GOVT OF NCT OF DELHI) & ANR Respondents

Through: Ms. Anita Abraham, Addl. PP for the State with SI Sandeep Shrivastava Mr. Prashan Sharma, Adv. for R-2 with R-2 in person.

+ CRL.M.C. 5304/2017 & CrI. M.A. 20805/2017

ASHISH GUPTA

..... Petitioner

Through: Mr. Neeraj Bhardwaj and Ms. Pooja Bhardwaj, Advs. with petitioners in person.

versus

STATE (GOVT OF NCT OF DELHI) & ANR Respondents

Through: Mr. Mukesh Kumar, Addl. PP for the State with SI Rahul Malar Mr. Prashan Sharma, Adv. for R-2 with R-2 in person.

+ CRL.M.C. 708/2018 & CrI. M.A. 2532/2018

ASHISH GUPTA

..... Petitioner

Through: Mr. Neeraj Bhardwaj and Ms. Pooja Bhardwaj, Advs. with petitioners in person.

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CRL.M.C. 5064/2017, CRL.M.C. 5304/2017, CrI. M.C. 708/2018 and CrI. M.C. 743/2018

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versus

STATE GOVT OF NCT OF DELHI & ORS Respondents

Through: Mr. Arun Kr. Sharma, Addl. PP for
the State with ASI Nasir Abbas
Mr. Prashan Sharma, Adv. for R-2
with R-2 in person.

+ CRL.M.C. 743/2018 & Crl. M.A. 2680/2018

ASHISH GUPTA

..... Petitioner

Through: Mr. Neeraj Bhardwaj and Ms. Pooja
Bhardwaj, Advs. with petitioners in
person.

versus

STATE (GOVT OF NCT OF DELHI) & ANR Respondents

Through: Mr. Arun Kr. Sharma, Addl. PP for
the State with ASI Nasir Abbas
Mr. Prashan Sharma, Adv. for R-2
with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **08.03.2018**

**Crl. M.A. 2533/2018 (Exemption) in Crl. M.C. 708/2018 and Crl.
M.A. 2681/2018 (Exemption) in Crl. M.C. 743/2018**

Allowed, subject to all just exceptions.

**CRL.M.C. 5064/2017, CRL.M.C. 5304/2017, Crl. M.C. 708/2018
and Crl. M.C. 743/2018**

1. The petitioners, in CRL.M.C. 5064/2017 seek quashing of FIR No. 153 of 2013 under Sections 323/341/354/34 of the IPC Police Station Ashok Vihar, New Delhi; petitioner in CRL.M.C. 5304/2017 seeks quashing of FIR No. 128 of 2013 under Sections 509/354-D of the IPC

Police Station Gandhi Nagar, New Delhi; petitioner, in CRL.M.C. 708/2018 seeks quashing of FIR No. 1352 of 2015 under Sections 509/506 of the IPC Police Station Madhu Vihar, New Delhi and Petitioner in CRL.M.C. 743/2018 seeks quashing of FIR No. 779 of 2013 under Section 506 of the IPC Police Station Madhu Vihar, New Delhi, based on a settlement. It is contended that the subject FIRs were 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 26.07.2017 has been passed. A total sum of Rs. 6 lakhs had been agreed to be paid to respondent no. 2. A sum of Rs. 3.50 lakhs has already been paid and the balance sum of Rs. 2,50,000/- has been paid to respondent no. 2 – Sona Gupta, by way of Banker's Cheque 633021 dated 06.03.2018 issued by State Bank of India, today in the Court.

3. Respondent no. 2- Sona Gupta in Crl. M.C. 5064/2017, Respondent no. 2-Mona Jain in Crl. M.C. 5304/2017, Respondent no. 2-Rekha Jain in Crl. M.C. 708/2018 and Respondent no. 2-Shalu Jain in Crl. M.C. 743/2018 are present in court in person, represented by their counsel and are identified by the Investigating Officers. They submit that they have settled the disputes with the petitioners and are agreeable to the settlement and do not wish to press criminal charges against the petitioners any further. It is further submitted on behalf of the parties that the settlement agreement has been recorded in order dated 18.10.2016.

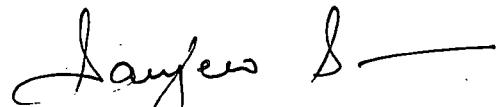
4. In view of the fact that the disputes between the petitioners and respondents have been settled, continuation of criminal proceedings will be

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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 also be expedient to quash the subject FIRs and the consequent proceedings emanating therefrom.

5. In view of the above, the petitions are allowed. (i) FIR No. 153 of 2013 under Sections 323/341/354/34 of the IPC Police Station Ashok Vihar, New Delhi; (ii) FIR No. 128 of 2013 under Sections 509/354-D of the IPC Police Station Gandhi Nagar, New Delhi; (iii) FIR No. 1352 of 2015 under Sections 509/506 of the IPC Police Station Madhu Vihar, New Delhi and (iv) FIR No. 779 of 2013 under Section 506 of the IPC Police Station Madhu Vihar, New Delhi and the consequent proceedings emanating therefrom are, accordingly quashed.

6. Order Dasti under signatures of the Court Master.


SANJEEV SACHDEVA, J

MARCH 08, 2018
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