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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 881/2018**
AJEET KUMAR

..... Petitioner

Through : Mr Amit Kumar, Advocate.

versus

THE STATE GOVT OF NCT OF DELHI & ANR

..... Respondent

Through : Mr Mukesh Kumar, Addl. PP for the
State.
ASI Ashwani Kumar.

CORAM:
HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **21.02.2018**

Crl. M.A. 3288/2018 (exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 881/2018 & Crl.M.A.3287/2018(stay)

1. By this petition, petitioner seeks quashing of FIR No.2083/2014, under Sections 498A/406/34 IPC, Police Station Mehrauli.

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

3. Parties have settled their dispute. The Terms of Settlement are recorded in the statement given by the parties on 11.10.2017 before the Principal Judge, Family Court, South-East, Saket, New Delhi.
4. By way of settlement, a total sum of Rs.1,50,000/- was agreed to be paid to respondent No.2 towards full and final settlement of all her claims. A sum of Rs.1 lakh has already been paid and balance amount of Rs.50,000/- has been paid today by way of Cheque bearing No.773470 dated 21.02.2018 issued by the Yes Bank, Saket Branch, New Delhi.
5. The petitioner, who is present in person in Court today, undertakes that the cheque shall be honoured on its presentation. His undertaking is accepted.
6. Respondent No.2 is present in Court in person and is identified by the Investigating Officer. She confirms that the settlement has taken place and further that the marriage between the parties has been dissolved by way of mutual consent on 11.10.2017. She also submits that she does not wish to press her complaint any further.
7. 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 and Terms of Settlement are recorded in the statement given by the parties on 11.10.2017 before the Principal Judge, Family Court, South-East, Saket, New Delhi 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 there from.

8. Accordingly, FIR No.2083/2014, under Sections 498A/406/34 IPC, Police Station Mehrauli and the consequent proceedings emanating there from are hereby quashed, subject to encashment of the above-referred cheque.

9. Order Dasti under signatures of Court Master.

SANJEEV SACHDEVA, J

FEBRUARY 21, 2018

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