

\$~4

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

+ **CRL.M.C. 948/2018**

RAJA KIRAR @ RAM BABU

..... Petitioner

Through: Mr. Satendra Singh with Mr.
Ramneek Kumar, Advocates

versus

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

Through: Ms. Anita Abraham, APP for the
State

ASI Hawa Singh, P.S. Nihal Vihar

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **14.03.2018**

1. The petitioner seeks quashing of FIR No.152/2010 under Sections 498A/406/34 IPC, Police Station Nihal Vihar.
2. The subject FIR emanates out of matrimonial discord. Petitioner is the husband of respondent No.2.
3. Learned counsel for the petitioner submits that the parties have entered into a settlement agreement dated 06.01.2015 through the process of mediation, held at Delhi Mediation Centre, Tis Hazari Courts, Delhi. The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 20.07.2015.
4. The respondent No.2 was to be paid a total sum of Rs.1,00,000/- in full and final settlement of all her claims. A sum of Rs.75,000/- has already been paid. The balance sum of Rs.25,000/- has been paid to the

respondent No.2 by way of Demand Draft No.524744 dated 13.03.2018 drawn on The South Indian Bank Limited.

5. The respondent No.2 is present in person, represented by counsel and is identified by the Investigating Officer ASI Hawa Singh. She submits that she has settled her disputes with the petitioner and does not wish to press charges against the petitioner 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 20.07.2015, 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.

7. In view of the above, FIR No. 152/2010 under Sections 498A/406/34 IPC, Police Station Nihal Vihar and the consequent proceedings emanating there from are quashed.

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

SANJEEV SACHDEVA, J

MARCH 14, 2018

ns