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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 1099/2018
MAHESH & ORS Petitioner
Through: Mr. Archit Upadhayay, Adv.
versus

THE STATE GOVT OF NCT OF DELHI & ANR Respondents
Through: Mr. Mukesh Kumar, Addl. PP for the
State with ASI Hawa Singh
Mr. Gopal Ji, Adv. for R-2

CORAM:
HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER
% **09.05.2018**

1. The petitioners seek quashing of FIR No. 442 of 2013 under Sections 498A/406/34 of the IPC Police Station Nihal Vihar, Delhi, based on 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 15.01.2018 has been passed.
3. It is further submitted that the parties have entered into a settlement dated 31.08.2017 before the Delhi Mediation Centre, Tis Hazari Court, Delhi. As per the settlement, a total sum of Rs. 2.80 lakhs has been agreed to be paid to respondent no. 2. A sum of Rs. 2 lakhs has already been paid and the balance sum of Rs. 80,000/- has been paid to respondent no. 2 by way of Demand Draft No. 227809 dated 12.02.2018 issued by Corporation Bank today in the Court. It is further agreed in court today, that petitioner shall pay an additional sum of Rs. 10,000/- in cash to respondent no. 2

within a period of four weeks from today. Petitioner undertakes to pay the same in four weeks. The undertaking is accepted.

4. The receipt of payment of additional amount of Rs. 10,000/- be furnished to the IO within a period of five weeks from today.

5. 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.

6. 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.

7. In view of the above, the petition is allowed. FIR No. 442 of 2013 under Sections 498A/406/34 of the IPC Police Station Nihal Vihar, Delhi and the consequent proceedings therefrom are, accordingly quashed.

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

SANJEEV SACHDEVA, J

MAY 09, 2018/‘rs’