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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 1050/2018**
ANUJ KUMAR & ORS

..... Petitioner

Through: Mr. Hanish Saharawat, Advocate

versus

THE STATE GOVT OF NCT OF DELHI & ANR

..... Respondent

Through : Mr Arun Kumar Sharma, Addl. PP
for the State.
Mr. Vipin Kumar, Advocate for R-2
ASI Raj Kumar, PS Anand Vihar

CORAM:
HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **27.02.2018**

Crl. M.A. 3805/2018(exemption)

Allowed, subject to all just exceptions.

Crl.M.C.1050/2018

1. By this petition, petitioners seek quashing of FIR No.1599/2015, under Sections 498A/406/354/34 IPC, Police Station Aman Vihar, Delhi.

2. The subject FIR emanates out of matrimonial discord.

Petitioner No.1 is the husband of respondent No.2. Petitioner Nos.2 & 3 are the parents of petitioner No.1. Petitioner No.4 is the brother of petitioner No.1.

3. Parties have settled their dispute. Settlement Agreement dated 22.02.2017 has been executed between the parties before the Principal Judge, Family Court (North-West), Rohini, Delhi.

4. As per Settlement Agreement, it is agreed that the permanent custody of the minor child shall be with the respondent No.2.

5. Petitioners, who are present in person in Court today, undertake that they shall not claim any right contrary to the Settlement Agreement dated 22.02.2017. The undertaking is accepted.

6. By way of settlement, a total sum of Rs.5,25,000/- was agreed to be paid to respondent No.2 towards full and final settlement of all her claims. A sum of Rs.4 lakhs has already been paid and balance amount of Rs.1,25,000/- has been paid by way of Demand Draft bearing No.728009 dated 05.01.2018 issued by the Bank of Baroda, Sultanpur Mazra, New Delhi.

7. Respondent No.2 is present in Court in person, 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 decree of divorce dated 22.12.2017. She also submits that she does not wish to press her complaint any further.

8. 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 through the Settlement Agreement dated 22.02.2017, which has been executed between the parties before the Principal Judge, Family Court (North-West), Rohini, Delhi and further 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 therefrom.

9. Accordingly, FIR No.1599/2015, under Sections 498A/406/354/34 IPC, Police Station Aman Vihar, Delhi, and the consequent proceedings emanating therefrom are hereby quashed.

10. Order Dasti under signatures of Court Master.

SANJEEV SACHDEVA, J

FEBRUARY 27, 2018

‘Sd’