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

+ **CRL.M.C. 1464/2018**

CHARAN SINGH & ORS

..... Petitioners

Through Mr. Suresh Chandra, Advocate.

versus

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

Through Mr. Arun Kumar Sharma, APP for the State.

Mr. Rinendra Kumar, Advocate for the respondent No.2.

ASI Satyapal Singh, PS Ashok Vihar.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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22.03.2018

Crl.M.A.5331/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 1464/2018

1. The petitioners seek quashing of FIR No.219/2002 under Sections 498-A/406/34 IPC, Police Station Ashok Vihar.

2. The subject FIR emanates out of matrimonial discord. Petitioner No.1 is the husband of respondent No.2. Petitioner No.2 is the mother of the petitioner No.1.

3. Learned counsel for the petitioners submits that the parties have settled their disputes. The settlement terms are recorded in the

statement given by the parties on 22.04.2004 before the Learned ADJ, Rohini Court. The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 22.04.2004.

4. The respondent No.2 was to be paid a total sum of Rs.50,000/- in full and final settlement of all her claims. The said amount of Rs.50,000/- has already been paid to the respondent No.2 and the same is acknowledged by the respondent No.2.

5. The respondent No.2 is present in person, represented by counsel and is identified by the Investigating Officer. She submits that she has settled her disputes with the petitioners and does not wish to press charges against the petitioners 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 22.04.2004, 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.219/2002 under Sections 498-

A/406/34 IPC, Police Station Ashok Vihar and the consequent proceedings emanating there from are quashed.

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

SANJEEV SACHDEVA, J

MARCH 22, 2018
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