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

% Judgment delivered on: 29.08.2018
+ CRL.M.C. 1422/2018

RAJEEV SHARMA & ANR. Petitioners

versus

GOVT. OF NCT OF DELHI & ANR Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Mimanshu Sharma, Adv. along with petitioners

For the Respondent: Mr. Kamal Kr. Ghai, Addl. PP for the State with SI
Mahesh Singh
Ms. Aditi Sharma, Adv. for complainant/R-2 with
R-2 in person.

**CORAM:-
HON'BLE MR JUSTICE SANJEEV SACHDEVA**

**JUDGMENT
29.08.2018**

SANJEEV SACHDEVA, J. (ORAL)

1. The petitioners seek quashing of FIR No. 435 of 2003 under Sections 498A/406/34 of the IPC, Police Station Pandav Nagar, New 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 petitioner No. 1 and the complainant have been divorced by decree of divorce dated 14.12.2004. It is further submitted on behalf of the parties that parties had entered into a settlement before the Delhi Mediation Centre, Karkardooma Courts, Delhi on 31.10.2017.

3. As per the settlement, a total sum of Rs. 3.25 lakhs has been agreed to be paid to respondent no. 2. A sum of Rs. 1,75,000/- has already been paid to respondent no. 2 and the balance sum of Rs. 1,50,000/- is being paid by way of DD No. 509194 dated 12.07.2018 issued by State Bank of India to respondent no. 2 today in Court.

4. Respondent no. 2 is present in court in person, represented by her counsel and is identified by the Investigating Officer. She confirms that she has received the entire amount. 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.

5. 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.

6. In view of the above, the petition is allowed. FIR No. 435 of 2003 under Sections 498A/406/34 of the IPC, Police Station Pandav Nagar, New Delhi and the consequent proceedings therefrom are, accordingly quashed.

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

AUGUST 29, 2018
'rs'

SANJEEV SACHDEVA, J

