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

+ **CRL.M.C. 1607/2018**

**VIJAY SEHGAL**

..... Petitioner

Through : Mr Tarun Narang, Advocate.

versus

**STATE (NCT OF DELHI) & ANR**

..... Respondent

Through : Ms Anita Abraham, Addl. PP for the  
State.

SI Rajpal, PS Moti Nagar.

**CORAM:**

**HON'BLE MR. JUSTICE SANJEEV SACHDEVA**

**ORDER**

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**04.04.2018**

**CrI. M.A. 5840/2018(exemption)**

Allowed, subject to all just exceptions.

**CRL.M.C. 1607/2018**

1. Petitioner seeks quashing of FIR No.755/2014, under Sections 341/323/354/506/509 IPC, Police Station Moti Nagar, based on a Settlement.

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

3. Parties have settled their dispute. The Memorandum of Compromise dated 06.10.2015 has been executed between the parties before the Supreme Court Mediation Centre.

4. As per the settlement, a total sum of Rs.25,00,000/- was agreed to be paid to respondent No.2 towards full and final settlement of all her claims as the claims of the minor children. It is confirmed that the entire amount has already been paid, which is acknowledged by respondent No.2.

5. The petitioner is also present in Court in person and confirms that the property in Dev Nagar has already been transferred by respondent No.2 in his favour. The permanent custody of the minor children, as per the Settlement, is with respondent No.2. The petitioner undertakes that he shall not claim any rights contrary to the Settlement Terms. His undertaking is accepted.

6. Respondent No.2 is present in Court in person and is identified by the Investigating Officer. She confirms that the settlement has taken place and further submits that the marriage between the parties has been dissolved by way of decree of divorce by mutual consent on 18.01.2016. She also submits that she does not wish to press her complaint any further.

7. 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 Memorandum of Compromise dated 06.10.2015, which has been executed between the parties before the Supreme Court Mediation Centre and 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.

8. Accordingly, FIR No.755/2014, under Sections 341/323/354/506/509 IPC, Police Station Moti Nagar and the consequent proceedings emanating therefrom are hereby quashed.

9. Order Dasti under signatures of Court Master.

**SANJEEV SACHDEVA, J**

**APRIL 04, 2018**

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