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

+ **CRL.M.C. 1687/2018**

DHEERAJ KUMAR & ORS

..... Petitioners

Through : Mr Anjum Kaumar, Advocate.

versus

STATE & ORS

..... Respondents

Through : Mr Mukesh Kumar, Addl. PP for the
State.
SI Azad Singh, PS Ranholla.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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06.04.2018

1. Petitioners seek quashing of FIR No.258/2011, under Sections 498A/406/506-II/34 IPC, Police Station Ranholla, based on a Settlement.
2. The subject FIR emanates out of a matrimonial discord. Petitioner No.1 is the husband of respondent No.2. Petitioner Nos.2 to 4 are the relations of petitioner No.1.
3. Parties have settled their dispute. The Memorandum of Settlement dated 22.02.2017 has been executed between the parties through the Delhi Mediation Centre, Tis Hazari Courts, Delhi.
4. By way of settlement, a total sum of Rs.14,50,000/- was agreed to be paid to respondent No.2 towards full and final settlement of all

her claims. A sum of Rs.8,50,000/- has already been paid and balance amount of Rs.6,00,000/- has been paid by way of Demand Draft bearing No.458472 dated 09.02.2018 issued by Syndicate Bank, Uttam Nagar Branch, which is accepted in the Court today. As per the Settlement, the minor child shall remain in the permanent custody of respondent No.2.

5. The petitioners, who are present in Court in person, undertake that they shall not claim any rights contrary to the Settlement Terms. Their 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 marriage between the parties has been dissolved by way of decree of divorce by mutual consent on 17.01.2018. 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 parties have resolved their dispute through the Delhi Mediation Centre, Tis Hazari Courts, Delhi, which has been executed between the parties through the Mediation Centre, Tis Hazari Courts, Delhi, 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.258 /2011, under Sections 498A/406/506-II/34 IPC, Police Station Ranhola and the consequent proceedings emanating therefrom are hereby quashed.

9. Order Dasti under signatures of Court Master.

SANJEEV SACHDEVA, J

APRIL 06, 2018

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