

\$~54

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

+ **CRL.M.C. 1709/2018**

PRASHANT RAUT & ORS

..... Petitioners

Through: Mr. Anshuman Ashok, Adv.

versus

THE STATE OF (N.C.T OF DELHI)& ANR Respondents

Through: Ms. Neelam Sharma, Addl. PP for the
State with SI Insp. Praveen

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

%

09.04.2018

Crl. M.A. 6167/2018 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 1709/2018

1. The petitioner seeks quashing of FIR No. 248 of 2017 under Sections 498A/406/34 of the IPC Police Station Rani Bagh, 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. Compromise/settlement has been recorded in Memorandum of Understanding/Settlement Deed dated 30.01.2018. Total sum of Rs. 13 lakhs has been agreed to be paid to respondent no. 2. A sum of Rs. 8 lakhs has already been paid and the balance sum of Rs. 5,00,000/- has been paid to respondent no. 2 by way of Demand Draft No. 971546 dated 28.02.2018

issued by State Bank of India today in the Court.

3. Respondent no. 2 is present in court in person and is identified by the Investigating Officer. 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.

4. 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.

5. In view of the above, the petition is allowed. FIR No. 248 of 2017 under Sections 498A/406/34 of the IPC Police Station Rani Bagh, New Delhi and the consequent proceedings therefrom are, accordingly quashed.

6. Order Dasti under signatures of the Court Master.

SANJEEV SACHDEVA, J

APRIL 09, 2018

‘rs’