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

+ **CRL.M.C. 2585/2018**

SANJAY SINGH & ORS

..... Petitioners

Through Mr. Pritam Singh with petitioners in person.

versus

STATE OF NCT (DELHI) & ANR

..... Respondents

Through Mr. Arun Kumar Sharma, APP
for the State.
Mr. Sanjay Khera, Advocate
for respondent No.2.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **15.05.2018**

Crl.M.A.9179/2018 (exemption)

Exemption is allowed subject to all just exceptions.

Crl.M.A.9180/2018 (for condonation of delay in re-filing)

1. The petitioners seek quashing of FIR No.328/2016 under Sections 498-A/406/34 IPC, Police Station Kalyanpuri.

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-in-law of the respondent No.2. Petitioner Nos.3 & 5 are the brothers-in-law of the respondent No.2. Petitioner No.4 is the wife of the petitioner No.3. Petitioner No.6 is the sister-in-law of the

respondent No.2.

3. Learned counsel for the petitioners submits that the parties have settled their disputes and a Compromise Deed dated 06.06.2017 has been executed between the parties. The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 05.01.2018.

4. The respondent No.2 was to be paid a total sum of Rs.3,25,000/- in full and final settlement of all her claims. A sum of Rs.3,00,000/- has already been paid. The balance sum of Rs.25,000/- has been paid in cash today in Court.

5. As per the settlement, the permanent custody of the minor child born out of the wedlock is to remain with the respondent No.2. The petitioners, who are present in Court in person, undertake that they shall not claim any rights contrary to the settlement agreement between the parties. The undertaking is accepted.

6. The respondent No.2 is present in person and represented by counsel and identified by the IO. 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.

7. 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 05.01.2018, 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, the petition is allowed. FIR No.328/2016 under Sections 498-A/406/34 IPC, Police Station Kalyanpuri and the consequent proceedings emanating there from are quashed.

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

MAY 15, 2018
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SANJEEV SACHDEVA, J