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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 1887/2018**

SANDEEP KHANNA & ORS Petitioners

Through : Mr Prakash Priyadarshi, Advocate
with petitioner in person.

Versus

STATE OF NCT OF DELHI & ANR Respondents

Through : Mr A.K.Dhupar, Advocate for R-2.
SI Neeraj, PS South Rohini.
Mr Akshai Malik, Addl. PP for the
State.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **13.04.2018**

Crl. M.A. 6709/2018(exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 1887/2018

1. Petitioners seek quashing of FIR No.181/2015, under Sections 498A/406/34 IPC, Police Station Geeta Colony, based on a Settlement.

2. Subject FIR emanates out of a matrimonial discord. Petitioner No.1 is the husband of respondent No.2. Petitioner Nos.2 & 3 are the parents of petitioner No.1. Petitioner Nos.4 to 5 are the relations of petitioner No.1.

3. Parties have settled their dispute. The Memorandum of Settlement dated 10.11.2017 has been executed between the parties before the Delhi Mediation Centre, Karkardooma Courts, Delhi.

4. By way of settlement, a total sum of Rs.17,00,000/- was agreed to be paid to respondent No.2 towards full and final settlement of all her claims. A sum of Rs.10 lakhs has already been paid and balance amount of Rs.7,00,000/- has been paid by way of Demand Draft bearing No.936378 dated 12.04.2018 issued by the Union Bank of India, which is accepted in the Court today.

5. As per the Settlement, it is agreed that the minor daughter shall remain in the permanent custody of respondent No.2. Petitioner No.1, who is present in Court in person, undertakes that he shall not claim any rights contrary to the agreed terms. The undertaking is accepted.

6. Further, two FDRs, one in favour of respondent No.2 and other in favour of her father, which were to be handed over by the petitioners to the father of the respondent No.2, have been handed over in the Court today.

7. Respondent No.2 is present in Court in person alongwith her father, represented by counsel 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 03.02.2018. She also submits that she does not wish to press her complaint any further.

8. 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 a Memorandum of Settlement dated 10.11.2017, which has been executed between the parties before the Delhi Mediation Centre, Karkardooma 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.

9. Accordingly, FIR No.181/2015, under Sections 498A/406/34 IPC, Police Station Geeta Colony and the consequent proceedings emanating therefrom are hereby quashed.

10. Order Dasti under signatures of Court Master.

SANJEEV SACHDEVA, J

APRIL 13, 2018

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