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

+ **CRL.M.C. 1899/2018**

RAHUL MEHTA & ORS

..... Petitioners

Through : Ms Franeesca Kapur, Advocate.

versus

STATE & ORS

..... Respondent

Through : Mr Mukesh Kumar, APP.
Mr Vivek Aggarwal, Advocate for
R-2/complainant.
R-2 In person.
SI Vikash, PS Palam Village.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **16.04.2018**

Crl. M.A. 6755/2018(exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 1899/2018

1. Petitioners seek quashing of FIR No.621/2014, under Sections 498A/406/34 IPC, Police Station Palam Village, 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.

3. Parties have settled their dispute. The Memorandum of Settlement dated 15.06.2017 has been executed between the parties before the Mediation Centre, Dwarka Courts, Delhi.

4. By way of settlement, a total sum of Rs.23,50,000/- was agreed to be paid to respondent No.2 towards full and final settlement of all her claims. A sum of Rs.17,61,000 already been paid and balance amount of Rs.5,89,000/- has been paid by way of Demand Draft bearing No.935141 dated 16.04.2018 issued by the Indian Bank, Rajouri Garden Branch, which is accepted in the Court today.

5. Respondent No.2 is present in Court in person, represented by counsel and 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 15.03.2018. She also submits that she does not wish to press her complaint any further.

6. 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 before the Mediation Centre, Dwarka Courts, Delhi and a Memorandum of Settlement dated 15.06.2017 has been executed between the parties and further 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.

7. Accordingly, FIR No.621/2014, under Sections 498A/406/34 IPC, Police Station Palam Village and the consequent proceedings emanating therefrom are hereby quashed.

8. Order Dasti under signatures of Court Master.

SANJEEV SACHDEVA, J

APRIL 16, 2018

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