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

+ **CRL.M.C. 2340/2018**

SHANTI DEVI & ORS Petitioners
Through; **Mr.Siddharth Nanwal, Adv.**

versus

GOVT OF NCT OF DELHI & ANR Respondents
Through: **Mr. Mukesh Kumar, APP for State.**
ASI Adarsh Nagar.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **24.05.2018**

Crl.M.A. No.10202/2018

By this application, petitioner seeks to place on record the amended petition. It is contended that there were some typographical error. In view of the above, the application is allowed. Amended petition is taken on record.

CRL.M.C. 2340/2018

1. Petitioners seek quashing of FIR No. 138 of 2006 under Sections 498A/406/34 PS Adarsh Nagar, based on a settlement, it is contended that the FIR was lodged consequent to a matrimonial discord.

2. Parties have already been divorced. Learned counsels for the parties submit that the parties have settled their disputes on 02.09.2014 before Mediation Centre, Rohini Courts, Delhi. As per the settlement, a total sum of Rs.80,000/- has already been paid. Rs. 40,000/- each has been kept in FDR in the name of his minor children, who are in permanent custody of

respondent No.2.

3. Petitioner No.2 is present in Court. He undertakes that he shall not claim any rights contrary to the settlement terms. The Undertaking is accepted.

4. Respondent no. 2 is present in court in person, represented by her counsel and is identified by the Investigating Officer. She submits that she has settled the dispute with the petitioner and is agreeable to the settlement and does not wish to press the criminal charges against the petitioner any further. It is further submitted on behalf of the parties that parties had entered into the settlement before the Delhi Mediation Centre, Rohini Courts, Delhi.

5. In view of the fact that the disputes between the petitioner 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.

6. In view of the above, the petition is allowed. FIR No. 138 of 2006 under Sections 498A/306/34 PS Adarsh Nagar and the consequent proceedings therefrom are, accordingly quashed.

7. Order Dasti under signatures of the Court Master.

SANJEEV SACHDEVA, J.

MAY 24, 2018/Neelam