

\$~64

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

+ **CRL.M.C. 1932/2018**

DEEPAK NISCHAL & ORS

..... Petitioners

Through: Mr. Sandeep Mishra, Adv.

versus

STATE (NCT) OF DELHI & ANR

..... Respondents

Through: Mr. Arun Kr. Sharma, Addl. PP for
the State with ASI Balu Ram

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

%

17.04.2018

1. The petitioners seek quashing of FIR No.1418 of 2015 under Sections 498A/406/34 of the IPC Police Station Bindapur, 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 and have amicably dissolved their marriage by mutual consent and decree of divorce dated 24.01.2018 has been passed. A total sum of Rs. 2 lakhs has been agreed to be paid to respondent no. 2. A sum of Rs. 1 lakh has already been paid and the balance sum of Rs. 1 lakh has been paid to respondent no. 2 by way of Demand Draft No. 506003 dated 19.02.2018 issued by ICICI Bank 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. It is further submitted on behalf of the parties that parties had entered into the settlement before the Delhi Mediation Centre, Dwarka Courts, Delhi on 09.03.2017.

4. 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.

5. In view of the above, the petition is allowed. FIR No.1418 of 2015 under Sections 498A/406/34 of the IPC Police Station Bindapur, Delhi and the consequent proceedings therefrom are, accordingly quashed.

6. Order Dasti under signatures of the Court Master.

SANJEEV SACHDEVA, J

APRIL 17, 2018

‘rs’