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

+ **CRL.M.C. 2012/2018**

ANKUR SINGH & ORS

..... Petitioners

Through **Mr. Rakesh Patiyal, Adv.**

versus

STATE (NCT OF DELHI)& ANR

..... Respondents

Through **Mr. Arun Kr. Sharma, Addl. PP for
the State with SI Shri Gopal
Mr. Yogesh Kr. Sharma, Adv. for R-2
with R-2 in person**

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **19.04.2018**

Crl. M.A. No. 7132/2018 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 2012/2018

1. The petitioners seek quashing of FIR No. 1626 of 2014 under Sections 498A/406/34 of the IPC Police Station Shakarpur, New Delhi, based on a settlement. It is contended that the FIR was lodged consequent to a matrimonial discord.

2. It is submitted on behalf of the parties that parties had entered into settlement before the Delhi Mediation Centre, Rohini Courts, Delhi on 24.02.2018. As per the settlement, the parties are to take divorce by mutual consent. It is informed that first motion has already been moved and allowed on 17.03.2018 and the parties shall be moving second motion in

accordance with law. It has also been agreed that the minor child shall remain in the permanent custody of respondent no. 2. The petitioners who are appearing in person undertake that they shall not claim any right contrary to the terms as agreed to in the settlement. The undertaking is accepted.

3. 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 petitioners and is agreeable to the settlement and does not wish to press the criminal charges against the petitioners any further.

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. 1626 of 2014 under Sections 498A/406/34 of the IPC Police Station Shakarpur, New Delhi, and the consequent proceedings therefrom are, accordingly quashed.

6. Order Dasti under signatures of the Court Master.

SANJEEV SACHDEVA, J

APRIL 19, 2018

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