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

+ **CRL.M.C. 2045/2018**

LUKHWINDER SINGH @ LAKHVINDER SINGH Petitioner

Through **Mr. Vivek Agarwal, Advocate.**

versus

STATE & ANR.

.... Respondents

Through **Mr. Arun Kumar Sharma, APP for the
State.
Mr. Nitin Khanna, Advocate for R-2
ASI Devender Kumar, PS Uttam
Nagar.**

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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20.04.2018

Crl.M.A.7241/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 2045/2018

1. The petitioner seeks quashing of FIR No.757/2015 under Sections 498-A/406 IPC, Police Station Uttam Nagar.
2. The subject FIR emanates out of matrimonial discord. Petitioner is the husband of respondent No.2.
3. Learned counsel for the petitioners submits that the parties have entered into a settlement agreement dated 23.09.2016 through the

process of mediation, held at Delhi High Court Mediation & Conciliation Centre. The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 18.09.2017.

4. The respondent No.2 was to be paid a total sum of Rs.4,25,000/- in full and final settlement of all her claims. A sum of Rs.3,50,000/- has already been paid. The balance sum of Rs.75,000/- has been paid to the respondent No.2 by way of Bankers Cheque No.417957 dated 18.04.2018 drawn on State Bank of India.

5. As per the settlement, the permanent custody of the minor child born out of the wedlock is to remain with the respondent No.2. The petitioner, who is present in Court in person, undertakes that he shall not claim any rights contrary to the settlement agreement between the parties. The undertaking is accepted.

6. The respondent No.2 is present in person, represented by counsel and is identified by the Investigating Officer. She submits that she has settled her disputes with the petitioner and does not wish to press charges against the petitioner and prosecute the complaint any further.

7. In view of the fact that the proceedings emanate out of a matrimonial discord and the parties have fully and finally settled their disputes and the respondent No.2 has stated that she does not wish to press the complaint any further and the fact that the parties have already been divorced by way of a decree of divorce by mutual consent, passed on 18.09.2017, 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.

8. In view of the above, FIR No.757/2015 under Sections 498-A/406 IPC, Police Station Uttam Nagar and the consequent proceedings emanating there from are quashed.

9. Order *Dasti* under the signatures of the Court Master.

SANJEEV SACHDEVA, J

APRIL 20, 2018
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