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

+ **CRL.M.C. 2239/2018**

VIKRANT@NAVNEET

..... Petitioner

Through: Mr. Sanjay Gupta, Adv.

versus

THE SATTE (NCT OF DELHI)

..... Respondent

Through: Mr. G.M. Farooqui, Addl. PP for the
State with ASI Raghbir Prasad
Mr. Sudhir Kumar, Adv. for R-2 with
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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01.05.2018

Crl. M.A. No. 7966/2018 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 2239/2018

1. The petitioner seeks quashing of FIR No. 70 of 2009 under Sections 498A/406/34 of the IPC Police Station Naraina, New 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 16.01.2018 has been passed. It is further submitted on behalf of the parties that parties had entered into the settlement before the Delhi Mediation Centre, Tis Hazari Courts, Delhi on

22.08.2017. As per the settlement, a total sum of Rs. 6.60 lakhs has been agreed to be paid to respondent no. 2. A sum of Rs. 4.40 lakhs has already been paid and the balance sum of Rs. 1,00,000/- (in cash) and Rs. 1.20 lakhs by way of Demand Drafts Nos. 714506 & 714507 for a sum of Rs. 60,000/- each both dated 20.04.2018 issued by Canara Bank, have been paid to respondent no. 2 today in the Court.

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 petitioner and is agreeable to the settlement and does not wish to press the criminal charges against the petitioner 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. 70 of 2009 under Sections 498A/406/34 of the IPC Police Station Naraina, New Delhi and the consequent proceedings therefrom are, accordingly quashed.

6. Order Dasti under signatures of the Court Master.

SANJEEV SACHDEVA, J

MAY 01, 2018

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