

\$~60

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

+ **CRL.M.C. 2137/2018**

VAIBHAV SANWALKA & ORS Petitioners
Through Ms. Kritika Anand, Advocate.

versus

THE STATE (NCT OF DELHI) & ORS Respondents
Through Mr. Akshai Malik, APP for the State.
ASI Prem Ram, PS Hari Nagar.
Ms. Sangeeta Sondhi with Mr.
Abhishek Ghai, Advocates for R-2.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **25.04.2018**

CRL.M.C. 2137/2018

1. The petitioners seek quashing of FIR No.675/2014 under Sections 498A/406/354A/34 IPC, Police Station Hari Nagar.
2. The subject FIR emanates out of matrimonial discord. Petitioner No.1 is the husband of respondent No.2. Petitioner Nos.2 and 3 are the father-in-law and mother-in-law of the respondent No.2. Petitioner No.4 is the brother-in-law of the respondent No.2.
3. Learned counsel for the petitioners submits that the parties have settled their disputes before the Counselling Cell, Family Court, Saket on 15.02.2017. The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 22.12.2017.

4. The respondent No.2 was to be paid a total sum of Rs.18,00,000/- in full and final settlement of all her claims. A sum of Rs.11,00,000/- has already been paid. The balance sum of Rs.7,00,000/- has been paid to the respondent No.2 by way of Demand Draft No.010684 dated 09.04.2018 drawn on HDFC Bank for Rs.1,00,000/-, Demand Draft No.010687 dated 10.04.2018 drawn on HDFC Bank for Rs.1,00,000/- and Demand Draft No.075653 dated 11.04.2018 drawn on HDFC Bank for Rs.5,00,000/-.

5. 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 petitioners and does not wish to press charges against the petitioners and prosecute the complaint any further.

6. 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 22.12.2017, 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.

7. In view of the above, No.675/2014 under Sections 498A/406/354A/34 IPC, Police Station Hari Nagar and the consequent proceedings emanating there from are quashed.

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

SANJEEV SACHDEVA, J

APRIL 25, 2018

st