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

+ **CRL.M.C. 2172/2018**

GURVINDER SINGH

..... Petitioner

Through Ms. Puja Gulshan Kumar with Mr.
Gulshan Kumar, Advocates.

versus

STATE GOVT. OF NCT OF DELHI & ANR Respondents

Through Ms. Neelam Sharma, APP for the
State.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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26.04.2018

Crl.M.A.7731/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 2172/2018

1. The petitioner seeks quashing of FIR No.217/2013 under Sections 498-A IPC and Section 4 of Dowry Prohibition Act, Police Station Khyala.

2. The subject FIR emanates out of matrimonial discord. Petitioner is the husband of the respondent No.2. Initially, the FIR was registered against the other family members of the petitioner, however, they have been discharged and charges have been framed, by order dated 27.06.2016, under Sections 498-A IPC and Section 4 of Dowry Prohibition Act only against the petitioner.

3. Learned counsel for the petitioner submits that the parties have entered into a settlement agreement dated 03.05.2017 through the process of mediation, held at Delhi Mediation Centre, Tis Hazari Courts, Delhi. The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 10.03.2016.

4. The respondent No.2 was to be paid a total sum of Rs.2,50,000/- in full and final settlement of all her claims. A sum of Rs.1,00,000/- has already been paid. A sum of Rs.75,000/- has been paid to the respondent No.2 in Court by way of Demand Draft No.618242 dated 18.04.2018 drawn on State Bank of India. The balance sum of Rs.75,000/- shall be paid before the Mahila Court on 28.05.2018, when the matter is listed.

5. Petitioner, who appears in person, undertakes that he shall pay the balance amount on the said date. The undertaking is accepted.

6. The respondent No.2 is present in person 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 10.03.2016, 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.217/2013 under Sections 498-A IPC and Section 4 of Dowry Prohibition Act, Police Station Khyala and the consequent proceedings emanating there from are quashed.

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

APRIL 26, 2018
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SANJEEV SACHDEVA, J