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

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Judgment delivered on: 16.07.2018

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CRL.M.C. 2679/2018

HIMMAT SINGH KUMAI & ORS

..... Petitioners

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Advocates who appeared in this case:

For the Petitioners :

Mr. J.S. Mann, Advocate.

For the Respondents:

Mr. Panna Lal Sharma, APP for the State.

Mr. Rajesh Sharma with Ms. Kavita
Sharma, Advocates for R-2.

ASI Ramesh Kumar, PS Swaroop
Nagar.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

16.07.2018

SANJEEV SACHDEVA, J. (ORAL)

1. The petitioners seek quashing of FIR No.189/2014 under Sections 498A/406 IPC, Police Station Swaroop Nagar.

2. The subject FIR emanates out of matrimonial discord. Petitioner No.1 is the husband of respondent No.2. Petitioner No.2 is the mother-in-law of the respondent No.2. Petitioner No.3 is the

sister-in-law of the respondent No.2.

3. Learned counsel for the petitioners submits that the parties have settled their disputes through the process of mediation held before Delhi Mediation Centre, Rohini District Courts on 16.08.2017. The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 17.02.2018.

4. As per the Settlement Agreement, the respondent No.2 was to be returned the articles as per the list attached as Annexure 'A' to the said settlement agreement.

5. The respondent No.2 is present in person, represented by counsel and is identified by the Investigating Officer. She confirms that she has received the articles mentioned in the Settlement Agreement. 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 17.02.2018, 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 there from.

7. In view of the above, the petition is allowed. FIR No.189/2014 under Sections 498A/406 IPC, Police Station Swaroop Nagar and the consequent proceedings emanating there from are quashed.

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

JULY 16, 2018
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SANJEEV SACHDEVA, J

नस्यमेव जयते