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

+ **CRL.M.C. 2293/2018**

NEERAJ & ORS

..... Petitioners

Through **Mr. Manoj Kumar Sharma, Advocate.**

versus

STATE (GOVT OF NCT) OF DELHI & ANR Respondents

Through **Mr. G.M. Farooqui, APP for the
State.**

SI Mukesh Yadav, PS Jagatpuri.

Mr. Ajay Biltorla, Advocate for R-2.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **01.05.2018**

Crl.M.A.8135/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 2293/2018

1. The petitioners seek quashing of FIR No.60/2015 under Sections 498-A/406/34 IPC, Police Station Jagat Puri.

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 mother-in-law and father-in-law of the respondent No.2. Petitioner No.4 is the sister-in-law of the respondent No.2. Petitioner No.5 is the husband of the petitioner No.4.

3. Learned counsel for the petitioners submits that the parties have entered into a settlement agreement dated 17.11.2015 before the Counsellor, Family Court, Karkardooma. The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 27.10.2016.

4. The respondent No.2 was to be paid a total sum of Rs.90,000/- in full and final settlement of all her claims. A sum of Rs.80,000/- has already been paid. The balance sum of Rs.10,000/- has been paid to the respondent No.2 in cash today in Court.

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 terms, as recorded during the time of grant of divorce, 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 petitioners and does not wish to press charges against the petitioners 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 27.10.2016, 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.60/2015 under Sections 498-A/406/34 IPC, Police Station Jagat Puri and the consequent proceedings emanating there from are quashed.

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

MAY 01, 2018
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SANJEEV SACHDEVA, J