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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 2627/2018**

BALJEET SINGH DWEEANA & ORS Petitioners

Through : Mr Lalit Kumar, Advocate.

versus

THE STATE & ANR

..... Respondent

Through : Mr Mehar Singh, Advocate for
complainant.
Mr Arun Kumar Sharma, APP.

CORAM:
HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **16.05.2018**

Crl. M.A. 9322/2018(exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 2627/2018 & Crl.M.A.9323/2018(stay)

1. Petitioners seek quashing of FIR No.72/2009, under Sections 498A/406/34 IPC, Police Station Crime (Women) Cell (Nanakpura), based on a Settlement.
2. Subject FIR emanates out of a matrimonial discord. Petitioner No.1 is the husband of respondent No.2. Petitioner No.2 is the brother of petitioner No.1.

3. Parties have settled their dispute. Settlement dated 04.12.2017 has been executed between the parties and Terms of Settlement have been recorded in the order dated 27.02.2018.

4. By way of settlement, a total sum of Rs.9,75,000/- was agreed to be paid to respondent No.2 towards full and final settlement of all her claims. A sum of Rs.6,50,000/- has already been paid and balance amount of Rs.3,25,000/- has been paid by way of Demand Draft bearing No.673062 dated 10.05.2018 issued by the Union Bank, G.T.B.Nagar Branch, which is accepted in the Court today.

6. Respondent No.2 is present in Court in person, represented by counsel and is identified by the Investigating Officer. She confirms that the settlement has taken place and further submits that the marriage between the parties has been dissolved by way of decree of divorce by mutual consent on 27.02.2018. She also submits that she does not wish to press her complaint any further.

7. In view of the above and keeping in view of the fact that the FIR emanates from matrimonial discord and the parties have resolved their dispute through Settlement dated 04.12.2017, which has been executed between the parties and the Terms of Settlement have been recorded in the order dated 27.02.2018, and respondent No. 2 does not wish to press her complaint, 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.

8. Accordingly FIR No.72/2009, under Sections 498A/406/34 IPC, Police Station Crime (Women) Cell (Nanakpura), and the consequent proceedings emanating there from are hereby quashed.

9. Order Dasti under signatures of Court Master.

SANJEEV SACHDEVA, J

MAY 16, 2018

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