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

+ **CRL.M.C. 2374/2018**

DEEPAK BHATT & ORS

..... Petitioners

Through: Mr. Pushpander Kumar, Adv.

versus

STATE (NCT OF DELHI) AND ANOTHER Respondents

Through: Mr. Mukesh Kumar, Addl. PP for the
State with SI Dhananjay Kumar
Ms. Jyoti Wason, Adv. for R-2

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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07.05.2018

Crl. M.A. No. 8467/2018 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 2374/2018

1. The petitioners seek quashing of FIR No. 774 of 2016 under Sections 498A/406/34 of the IPC Police Station Hari Nagar, New Delhi, based on a settlement. It is contended that the FIR was lodged consequent to a matrimonial discord.

2. Learned counsels for the parties submit that the parties have settled their disputes and have amicably dissolved their marriage by mutual consent and decree of divorce dated 24.11.2017 has been passed. It is further submitted on behalf of the parties that parties had entered into a settlement before the Delhi Mediation Centre, Saket Courts, New Delhi on 26.07.2017. As per the settlement, a total sum of Rs. 7 lakhs has been

agreed to be paid to respondent no. 2 as full and final settlement including jewellery items. A sum of Rs. 5 lakhs has already been paid and the balance sum of Rs. 2,00,000/- has been paid to respondent no. 2 by way of Bankers Cheque No. 460823 dated 21.03.2018 issued by State Bank of India today in the Court.

3. Respondent no. 2 is present in court in person and represented by her counsel and is identified by the Investigating Officer. She submits that she has settled the dispute with the petitioners and is agreeable to the settlement and does not wish to press the criminal charges against the petitioners any further.

4. In view of the fact that the disputes between the petitioner and respondent no. 2 emanate out of a matrimonial discord and have been settled, 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.

5. In view of the above, the petition is allowed. FIR No. 774 of 2016 under Sections 498A/406/34 of the IPC Police Station Hari Nagar, New Delhi and the consequent proceedings therefrom are, accordingly quashed.

6. Order Dasti under signatures of the Court Master.

SANJEEV SACHDEVA, J

MAY 07, 2018

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