

\$~90

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

+ **CRL.M.C. 2572/2018**

ONKARNATH KUMAR & ORS

..... Petitioners

Through Mr. A.K. Sharma, Advocate for
petitioners with petitioners in person.
versus

STATE OF NCT OF DELHI

..... Respondent

Through Ms. Neelam Sharma, APP for the
State.
ASI Mahbir Singh, P.S. K.M. Pur.
Mr. S.K. Mishra, Advocate for the
complainant.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

%

14.05.2018

Crl.M.A.9124/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 2572/2018 & Crl.M.C.9123/2018 (stay)

1. The petitioners seek quashing of FIR No.521/2015 under Sections 498A/406/34 IPC, Police Station Kotla Mubarakpur.
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 father-in-law and mother-in-law of the respondent No.2. Petitioner No.4 is the brother-in-law of the respondent No.2.
3. Learned counsel for the petitioners submits that the parties have

settled their disputes and Compromise/Memorandum of Understanding dated 24.06.2016 has been executed between the parties. The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 08.08.2017.

4. The respondent No.2 was to be paid a total sum of Rs.3,70,000/- in full and final settlement of all her claims. The total sum of Rs.3,70,000/- already stands paid.

5. 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.

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 08.08.2017, 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.

7. In view of the above, FIR No.521/2015 under Sections

498A/406/34 IPC, Police Station Kotla Mubarakpur and the consequent proceedings emanating there from are quashed.

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

SANJEEV SACHDEVA, J

MAY 14, 2018
st

