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

+ **CRL.M.C. 2351/2018**

VIBHOOTI SHARMA @ VIBHUTI @ PANKAJ & ORS

..... Petitioners

Through Mr. Dinesh Malik with Mr. Manish
Malik, Mr. Akash Saini, Advocates
with petitioners in person.

versus

STATE (GOVT OF NCT DELHI) & ANR Respondents

Through Mr. G.M. Farooqui, APP for the
State.
SI Gaurav Dalal, PS Jaitpur.
Mr. Jay Kishore Singh, Advocate for
R-2.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **04.05.2018**

Crl.M.A.8364/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 2351/2018

1. The petitioners seek quashing of FIR No.844/2014 under Sections 498A/406/34 IPC, Police Station Jaitpur.

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

3. Learned counsel for the petitioners submits that the parties have entered into a settlement agreement dated 17.06.2017 through the process of mediation, held at Mediation Centre, Saket Court. The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 08.03.2018.

4. The respondent No.2 was to be paid a total sum of Rs.10,00,000/- in full and final settlement of all her claims. A sum of Rs.6,50,000/- has already been paid. The balance sum of Rs.3,50,000/- has been paid to the respondent No.2 by way of Demand Draft No.547348 dated 26.04.2018 drawn on Oriental Bank of Commerce for Rs.2,00,000/- and Demand Draft No.418303 dated 27.04.2018 drawn on Punjab National Bank for Rs.1,50,000/-.

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 08.03.2018, 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 therefrom.

7. In view of the above, FIR No.844/2014 under Sections 498A/406/34 IPC, Police Station Jaitpur and the consequent proceedings emanating there from are quashed.

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

SANJEEV SACHDEVA, J

MAY 04, 2018
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