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

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Judgment delivered on: 01.08.2018

+ CRL.M.C. 2683/2018

SATYAVEER @ SAGAR & ORS

..... Petitioners

versus

THE STATE (NCT OF DELHI) & ANR

..... Respondents

Advocates who appeared in this case:

For the Petitioner :

Ms. Archana, Adv. along with petitioners

For the Respondent:

Mr. Sanjeev Sabharwal, Addl. PP for
the State with SI Kuldeep Bhat
Mr. Imran Ali, Adv. for complainant

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

01.08.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl. M.A. No. 9554/2018 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 2683/2018

1. The petitioners seek quashing of FIR No. 998 of 2015 under Sections 498A/406/34 of the IPC, Police Station Ghazipur, New Delhi, based on a settlement. It is contended that the FIR was lodged consequent to a matrimonial discord.

2. It is prayed that exemption be granted to petitioner no. 2, father of petitioner no. 1 on the ground that he is aged about 67 years of age and is not keeping well. He has filed his affidavit in support of the petition. In view of the above, petitioner no. 2 is granted exemption from personal appearance.

3. 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 16.08.2017 has been passed. It is further submitted on behalf of the parties that parties had entered into the settlement before the Delhi Mediation Centre, Karkardooma Courts, Delhi on 11.05.2016. As per the settlement, a total sum of Rs. 2 lakhs has been agreed to be paid to respondent no. 2. A sum of Rs. 1,50,000/- has already been paid to respondent no. 2 and the balance sum of Rs. 50,000/- has been paid to respondent no. 2 outside the court, today.

4. Respondent no. 2 is present in court in person, represented by her counsel and is identified by the Investigating Officer. She confirms that she has received the entire amount of Rs. 2 lakhs. 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.

5. In view of the fact that the disputes between the petitioners 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.

6. In view of the above, the petition is allowed. FIR No. 998 of 2015 under Sections 498A/406/34 of the IPC, Police Station Ghazipur, New Delhi and the consequent proceedings therefrom are, accordingly quashed.

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

AUGUST 01, 2018
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SANJEEV SACHDEVA, J