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

+ **CRL.M.C. 2528/2018**

ISHU KESAR & ORS

..... Petitioners

Through : Mr G.K.Bharti and Mr Rajesh Kumar,
Advocates.

versus

THE STATE NCT OF DELHI & ANR

..... Respondents

Through : Ms Vandana Kumar, Advocate for
R-2.

Ms Neelam Sharma, APP.
SI Jitender, PS K.N.K.Marg.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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11.05.2018

Crl. M.A. 8981/2018(exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 2528/2018

1. Petitioners seek quashing of FIR No.64/2016, under Sections 498A/406/34 IPC, Police Station K.N.Katju Marg, based on a Settlement.

2. Subject FIR emanates out of a matrimonial discord. Petitioner No.1 is the husband of respondent No.2. Petitioner Nos.2 & 3 are the brothers of petitioner No.1. Petitioner No.4 is the sister-in-law of petitioner No.1.

3. Parties have settled their dispute. Terms of Settlement have been recorded before the National Lok Adalat on 09.09.2017.

4. By way of settlement, a total sum of Rs.15,00,000/- was agreed to be paid to respondent No.2 towards full and final settlement of all her claims. A sum of Rs.9,00,000/- has already been paid and balance amount of Rs.6,00,000/- has been paid by way of Demand Draft bearing No.483181 dated 06.04.2018 issued by the Yes Bank, which is accepted in the Court today.

5. 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 01.03.2018. She also submits that she does not wish to press her complaint any further.

6. 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 and Terms of Settlement have been recorded before the National Lok Adalat on 09.09.2017 and further 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 therefrom.

7. Accordingly, FIR No.64/2016, under Sections 498A/406/34 IPC, Police Station K.N.Katju Marg and the consequent proceedings emanating therefrom are hereby quashed.

8. Order Dasti under signatures of Court Master.

SANJEEV SACHDEVA, J

MAY 11, 2018

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