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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 2532/2018**
SUSHIL KUMAR @ SUNIL & ORS

..... Petitioners

Through : Ms Devki Nandan, Advocate.

versus

STATE (GNCT OF DELHI) & ANR

..... Respondent

Through : Mr Arun Kumar Sharma, APP.
Mr Satyajit Kumar, Advocate for
complainant.
SI Sachin Kumar, PS Bhajanpura.

CORAM:
HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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11.05.2018

Crl.M.A.8990/2018(exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 2532/2018

1. Petitioners seek quashing of FIR No.526/2011, under Sections 498A/406/34 IPC, Police Station Bhajan Pura, Delhi, 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 parents of petitioner No.1. Petitioner No.4 is the brother of petitioner

No.1. Petitioner No.5 is the sister of petitioner No.1

3. Parties have settled their dispute. Memorandum of Understanding dated 27.04.2016 has been executed between the parties.

4. By way of settlement, a total sum of Rs.6,00,000/- was agreed to be paid to respondent No.2 towards full and final settlement of all her claims. A sum of Rs.5 lakhs has already been paid and balance amount of Rs.1,00,000/- has been paid by way of Demand Draft bearing No.000438 dated 04.12.2017 (revalidated on 17.04.2018) issued by the Axis 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 07.09.2017. 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 Memorandum of Understanding dated 27.04.2016 has been executed between the parties 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.

9. Accordingly, FIR No.526/2011, under Sections 498A/406/34 IPC, Police Station Bhajan Pura, Delhi and the consequent proceedings emanating therefrom are hereby quashed.

10. Order Dasti under signatures of Court Master.

SANJEEV SACHDEVA, J

MAY 11, 2018

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