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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 2862/2018
BHARAT MANGHANI Petitioner
Through Mr. Nitesh Kumar, Adv.

versus

THE STATE & ANR Respondents
Through Mr. G.M. Farooqui, Addl. PP for the
State with SI Vipin Shokeen
Mr. M. Aggarwal, Adv. for R-2

CORAM:
HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER
% **24.05.2018**

Crl. M.A. No. 10144/2018 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 2862/2018

1. Petitioner seeks quashing of FIR No. 172 of 2016 under Sections 498A/406/312/34 of the IPC Police Station Shalimar Bagh, New Delhi, based on a settlement. It is contended that the FIR was lodged consequent to a matrimonial discord.

2. 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 01.07.2017 has been passed. It is further submitted on behalf of the parties that parties had entered into the settlement on 14.07.2016. As per the settlement, a total sum of Rs. 4 lakhs has been agreed to be paid to respondent no. 2. A sum of Rs. 3 lakhs has already been paid and the balance sum of Rs. One lakh has been paid to

respondent no. 2 by way of Demand Draft/Manager's Cheque No. 020049 dated 07.04.2018 issued by HDFC Bank today in the Court.

3. Mr. M. Aggarwal, Advocate has filed his Vakalatnama on behalf of respondent no. 2 in Court. The same is taken on record.

4. Respondent no. 2 is present in court in person, represented by her counsel and is identified by the Investigating Officer. She submits that she has settled the disputes with the petitioner and is agreeable to the settlement and does not wish to press the criminal charges against the petitioner any further.

7. In view of the fact that the disputes between the petitioner 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.

8. In view of the above, the petition is allowed. FIR No. 172 of 2016 under Sections 498A/406/312/34 of the IPC Police Station Shalimar Bagh, New Delhi and the consequent proceedings therefrom are, accordingly quashed.

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

SANJEEV SACHDEVA, J

MAY 24, 2018

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