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

% Judgment delivered on: 05.07.2018

+ CRL.M.C. 2657/2018

RAVINDER PAL SINGH BEDI Petitioner

versus

STATE & ANR Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Narendra Kalra, Advocate.

For the Respondent: Mr. Panna Lal Sharma, APP for the State.
Mr. Nitin Kalra, Advocate for R-2 with R-2 in person.
SI Anukul, PS Subzi Mandi.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

05.07.2018

SANJEEV SACHDEVA, J. (ORAL)

1. The petitioner seeks quashing of FIR No.126/2011 under Sections 498-A/406/34 IPC, Police Station Subzi Mandi, based on a settlement.
2. The subject FIR emanates out of a matrimonial discord. Petitioner is the husband of the complainant. The complainant has since expired. Respondent No.2 is the mother of the complainant. Learned counsel for the parties inform that though there were other accused but charged were framed only against the petitioner.
3. Learned counsel for the petitioners submits that the disputes between the parties have been settled.

4. There was one child born out of the wedlock. It has been agreed that the amount of Rs.2,00,000/-, deposited in terms of order dated 27.02.2013 in Bail Appln. 1386/2011 titled *Ravinder Pal Singh Bedi vs. State*, along with interest accrued thereon, be released in favour of the petitioner for creating a fixed deposit receipt in the name of the minor child, under the guardianship of the petitioner, to be released to the minor child on attaining majority.

5. Petitioner, who is present in Court in person, undertakes that on receipt of the said amount, he shall duly create a fixed deposit receipt and furnish a copy thereof to the respondent No.2 within a period of one week from the receipt of the amount from the Registrar General of this Court.

6. As per the settlement between the parties, the custody of the minor child shall remain with the petitioner with visitation rights to the respondent No.2. Both the parties agree that shall abide by the terms of settlement. The undertakings are accepted.

7. The respondent No.2 is present in person, represented by counsel and is identified by the Investigating Officer. She confirms that their disputes have been settled and she does not wish to prosecute the complaint any further.

8. 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, 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. In view of the above, FIR No.126/2011 under Sections 498-A/406/34 IPC, Police Station Subzi Mandi and the consequent proceedings emanating there from are quashed.

10. The Registry is directed to release the amount of Rs.2,00,000/-, deposited in terms of order dated 27.02.2013 in Bail Appln. 1386/2011 titled *Ravinder Pal Singh Bedi vs. State*, along with interest accrued thereon, in favour of the petitioner. The petitioner shall thereafter create a fixed deposit receipt in the name of the minor child, under the guardianship of the petitioner, to be released to the minor child on attaining majority and furnish a copy thereof to the Respondent No.2.

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

JULY 05, 2018
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SANJEEV SACHDEVA, J