

\$~98

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

+ **CRL.M.C. 2787/2018**

RAVINDER VERMA

..... Petitioner

Through: Mr. Nagender Singh Tomar and Mr.
Kush Sharma, Advs.

versus

STATE & ANR.

..... Respondents

Through: Ms. Neelam Sharma, Addl. PP for the
State with SI Jasmer Singh
Mr. Anil Singh, Adv. for complainant

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

%

22.05.2018

Crl. M.A. No. 9916/2018 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 2787/2018

1. The petitioner seeks quashing of FIR No. 397 of 2003 under Sections 498A/406 of the IPC Police Station Jahangirpuri, 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 25.08.2017 has been passed. It is further submitted on behalf of the parties that parties had

entered into the settlement before the Delhi Mediation Centre, Rohini Courts, Delhi on 19.10.2016. As per the settlement, a total sum of Rs. 1,75,000/- has been agreed to be paid to respondent no. 2. A sum of Rs. 1,00,000/- has already been paid and the balance sum of Rs. 75,000/- has been paid to respondent no. 2 by way of Demand Draft/Banker's Cheque No. 007072 dated 07.03.2018 issued by the Nainital Bank Ltd. today in the Court.

3. 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 dispute with the petitioner and is agreeable to the settlement and does not wish to press the criminal charges against the petitioner any further.

4. It is submitted that the permanent custody of the child is with respondent no. 2. The petitioner who is present in Court in person undertakes that he shall not claim any right contrary to the settlement terms. The Undertaking is accepted.

5. 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.

6. In view of the above, the petition is allowed. FIR No. 397 of 2003 under Sections 498A/406 of the IPC Police Station Jahangirpuri, Delhi and the consequent proceedings there from are, accordingly quashed.

7. Order Dasti under signatures of the Court Master.

SANJEEV SACHDEVA, J

MAY 22, 2018

‘rs’