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

+ **CRL.M.C. 2836/2018**

ANKIT TANWAR & ORS

..... Petitioners

Through : Mr Rakesh Nautiyal, Advocate with
petitioners in person.

versus

THE STATE (NCT OF DELHI)& ANR

..... Respondents

Through : Mr Sudhir Kumar, Advocate for R-2.
W/ASI Laxmi, PS Crime
(Women) Cell (Nanakpura)

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **23.05.2018**

Crl. M.A. 10049/2018(exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 2836/2018

1. Petitioners seek quashing of FIR No.194/2016, under Sections 498A/406/34 IPC, Police Station Crime (Women) Cell (Nanakpura), based on a Settlement.

2. Subject FIR emanates out of a matrimonial discord. Petitioner No.1 is the husband of respondent No.2. Petitioner No.2 is the brother of petitioner No.1. Petitioner No.3 is the mother of petitioner

No.1.

3. Parties have settled their dispute. The Memorandum of Understanding/Settlement Deed dated 15.01.2018 has been executed between the parties.

4. By way of settlement, a total sum of Rs.3,00,000/- was agreed to be paid to respondent No.2 towards full and final settlement of all her claims. A sum of Rs.2 lakhs has already been paid and balance amount of Rs.1,00,000/- has been paid by way of Demand Draft bearing No.870991 dated 21.05.2018 issued by the Oriental Bank of Commerce, Naraina Branch, Delhi, 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 26.03.2018. 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 the Memorandum of Understanding/Settlement Deed dated 15.01.2018 has been executed between the parties, and 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.194/2016, under Sections 498A/406/34 IPC, Police Station Crime (Women) Cell (Nanakpura), and the consequent proceedings emanating therefrom are hereby quashed.

8. Order Dasti under signatures of Court Master.

SANJEEV SACHDEVA, J

MAY 23, 2018

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