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

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Judgment delivered on:01.10.2018

+ CRL.M.C. 2930/2018

SANWAL RAM MEENA & ORS.

..... Petitioners

versus

THE STATE (GOVT. OF NCT OF DELHI) & ANR.....Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Anand Kumar Pander, Advocate.
For the Respondents : Mr. Panna Lal Sharma, APP for State.
ASI Tulli Ram, PS Badar Pur.
Complainant in person.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

01.10.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioners seek quashing of FIR No.165/2016 under Sections 498A/406/34 IPC, Police Station Badarpur, based on a settlement.

2. Subject FIR emanates out of matrimonial discord. Petitioner No.1 is the husband of respondent No.2. Petitioner Nos.2 and 4 are the father-in-law and mother-in-law of the respondent No.2. Petitioner Nos.3 & 5 are the brothers-in-law of the respondent No.2. Petitioner Nos.6 & 7 are the wives of the brothers-in-law of the respondent No.2.

3. Learned counsel for the petitioners submits that the parties have settled their disputes through the process of mediation held at Mediation Centre, Saket on 30.11.2017. Parties have already been divorced by way of a decree of divorce by mutual consent, passed on 20.01.2018.

4. Respondent No.2 was to be paid a total sum of Rs.4,00,000/- in full and final settlement of all her claims. The entire sum of Rs. 4,00,000/- has already been paid.

5. The respondent No.2 is present in person and is identified by the Investigating Officer. She submits that she has settled her disputes with the petitioners and does not wish to press charges against the petitioners and prosecute the complaint any further.

6. 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 and the fact that the parties have already been divorced by way of a decree of divorce by mutual consent, passed on 20.01.2018, 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. In view of the above, the petition is allowed. FIR No.165/2016 under Sections 498A/406/34 IPC, Police Station Badarpur and the consequent proceedings emanating there from are quashed.

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

OCTOBER 01, 2018
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SANJEEV SACHDEVA, J

