

\$~30

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

+ **CRL.M.C. 2907/2018**

SANJAY SINGH & ORS

..... Petitioners

Through : Mr Lakhshana Oberoi and Mr Brijesh Oberoi, Advocates with P-2 & 3 in person.

versus

STATE & ANR

..... Respondent

Through : Mr Akshai Malik, Addl. PP for the State.
W/ASI Roshni Sharma, PS Crime (Women) Cell (Nanakpura)

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

%

25.05.2018

Crl. M.A. 10291/2018(exemption)

Allowed, subject to all just exceptions.

Crl.M.A.10292/2018(exemption from personal appearance of P-1)

1. Exemption is sought from personal appearance for petitioner No.1 on account of his illness. The medical records are annexed.
2. For the reasons stated in the application and after perusal of the medical records, the application is allowed. Petitioner No.1 is granted exemption from personal appearance.

CRL.M.C. 2907/2018

1. Petitioners seek quashing of FIR No.003/2015, under Sections 498A/406/34 IPC, Police Station 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 Nos.2 & 3 are the parents of petitioner No.1.
3. Parties have settled their dispute. Memorandum of Settlement dated 27.07.2017 has been executed between the parties.
4. By way of settlement, a total sum of Rs. 6,90,000/- was agreed to be paid to respondent No.2 towards full and final settlement of all her claims. A sum of Rs.5 lakhs has already been paid and balance amount of Rs.1,90,000/- has been paid by way of Demand Draft bearing No.715245 dated 15.05.2018 issued by the State Bank of India, which is accepted in the Court today.
5. Respondent No.2 is present in Court in person, 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 08.03.2018. 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 through the Memorandum of Settlement dated 27.07.2017, which has been executed between the parties and further 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.003/2015, under Sections 498A/406/34 IPC, Police Station 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 25, 2018

‘Sn’