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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 3009/2018

SAMEER BATRA & ORS

..... Petitioners

Through

Mr. Ajay Bahl with Mr. Vikash
Sharma, Advocates.

versus

STATE & ORS

..... Respondents

Through

Mr. G.M. Farooqui, APP for the
State.
SI Shikhar Chaudhary, EOW.
SI Vishnu Dutt, PS New Friends
Colony.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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29.05.2018

Crl.M.A.10601/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 3009/2018

1. The petitioners seek quashing of FIR No.388/2015 under Sections 498A/406/34 IPC, Police Station New Friends Colony.
2. The subject FIR emanates out of matrimonial discord. Petitioner No.1 is the husband of respondent No.2. Petitioner Nos.2 and 3 are the father-in-law and mother-in-law of the respondent No.2.
3. Learned counsel for the petitioners submits that the disputes between the parties have been settled before the Family Court on 09.02.2018. The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 03.04.2018.
4. The respondent No.2 was to be paid a total sum of Rs.6,50,000/-,

along with some articles, in full and final settlement of all her claims. A sum of Rs.4,50,000/- has already been paid and the articles have been returned. The balance sum of Rs.2,00,000/- has been paid to the respondent No.2 by way of demand draft No.866643 dated 28.05.2018 drawn on Bank of India.

5. 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 03.04.2018, 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 there from.

7. In view of the above, the petitioner is allowed. FIR No.388/2015 under Sections 498A/406/34 IPC, Police Station New Friends Colony and the consequent proceedings emanating there from are quashed.

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

MAY 29, 2018/st

SANJEEV SACHDEVA, J