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

+ **CRL.M.C. 2882/2018**

SHRI VIKAS GROVER Petitioner

Through Mr. V.K. Kalra, Adv.

versus

STATE & ORS Respondents

Through Mr. G.M. Farooqui, Addl. PP for the
State with SI Yogendra
Mr. Dinesh Singh Chaudhary, Adv.
for R-2

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **24.05.2018**

Crl. M.A. No. 10197/2018 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 2882/2018

1. Learned counsel for the petitioner seeks leave to implead the parents of the petitioner, sister and sister's husband as petitioner no. 2 to 5. On the oral prayer of the petitioner, the said persons are impleaded as petitioner no. 2 to 5. Amended memo of parties along with their affidavits are taken on record.

2. The petitioners seek quashing of FIR No. 13 of 2014 under Sections 498A/406/34 of the IPC Police Station Gulabi Bagh, New Delhi, based on a settlement. It is contended that the FIR was lodged

consequent to a matrimonial discord.

3. 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 25.03.2018 has been passed. It is further submitted on behalf of the parties that parties had entered into the settlement before the Delhi Mediation Centre, Tis Hazari Court, Delhi on 27.11.2017. As per the settlement, a total sum of Rs. 11 lakhs has been agreed to be paid to respondent no. 2. A sum of Rs. 8 lakhs has already been paid and the balance sum of Rs. 3 lakhs has been paid to respondent no. 2 by way of Demand Draft No. 614657 dated 23.05.2018 issued by The Karur Vysya Bank Ltd. today in the Court.

4. It is agreed between the parties that the permanent custody of the minor child shall remain 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. 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(s) and is agreeable to the settlement and does not wish to press the criminal charges against the petitioner(s) any further.

6. In view of the fact that the disputes between the petitioner(s) 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.

7. In view of the above, the petition is allowed. FIR No. 13 of 2014 under Sections 498A/406/34 of the IPC Police Station Gulabi Bagh, New Delhi and the consequent proceedings therefrom are, accordingly quashed.

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

SANJEEV SACHDEVA, J

MAY 24, 2018

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