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

+ **CRL.M.C. 2972/2018**

SH. GAURAV AGGARWAL & ORS

..... Petitioners

Through : Mr Anand Maheshwari, Advocate.

versus

THE STATE & ANR.

..... Respondents

Through : Ms Neelam Sharma, APP with the
IO Police Station Dabri
Mr Anand Maheshwari, Advocate for
R-2.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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28.05.2018

CrI. M.A. 10498/2018(exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 2972/2018

1. Petitioners seek quashing of FIR No.629/2017, under Sections 498A/406/34 IPC, Police Station Dabri, 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. Petitioner No.4 is the brother of petitioner No.1.
3. Parties have settled their dispute. The Settlement has been

arrived at before the Counselling Cell, Family Courts, Dwarka Court, New Delhi, on 21.03.2018.

4. By way of settlement, a total sum of Rs.11,00,000/- was agreed to be paid to respondent No.2 towards full and final settlement of all her claims. A sum of Rs.8 lakhs has already been paid and balance amount of Rs.3,00,000/- has been paid by way of Demand Draft bearing No.527864 dated 28.05.2018 issued by the City Union Bank Limited, Chandni Chowk, Delhi, 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 23.05.2018. 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 Settlement has been arrived at before the Counselling Cell, Family Courts, Dwarka Court, New Delhi, on 21.03.2018. 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.629/2017, under Sections 498A/406/34 IPC, Police Station Dabri and the consequent proceedings emanating therefrom are hereby quashed.

8. Order Dasti under signatures of Court Master.

SANJEEV SACHDEVA, J

MAY 28, 2018

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