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

+ **CRL.M.C. 3185/2018**

RAJIV SHARMA & ORS

..... Petitioners

Through Mr. Bhojraj, Advocate.

versus

STATE & ANR

..... Respondents

Through Ms. Neelam Sharma, APP for the
State and SI Ranveer Mavi with ASI
Pramod
Mr. Tarun Kumar, Advocate for R-2.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **01.06.2018**

1. The petitioners seek quashing of FIR No.165/2014 under Sections 498/406/34 IPC, Police Station Jagat puri.
2. Subject FIR emanates out of matrimonial discord. Petitioner No.1 is the husband of the respondent No.2. Petitioner No.2 is the mother-in-law of the respondent No.2. Petitioner No.3 is the brother-in-law of the respondent No.2.
3. Learned counsel for the petitioner submits that the disputes between the parties have been settled through the process of mediation held at Delhi Mediation Centre, Karkardooma Courts on 14.07.2017. The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 01.03.2018.

4. Respondent No.2 was to be paid a total sum of Rs. 7,00,000/-, in full and final settlement of all her claims. A sum of Rs. 5,00,000/- has already been paid. Further amount of Rs.1,00,000/- is being paid today in Court by way of demand draft No.534246 dated 14.05.2018 drawn on Bank of Baroda. The balance sum of Rs.1,00,000/- shall be paid at the time when the respondent withdraws the complaint case.

5. Petitioner No.1, who is present in Court, undertakes that the said amount of Rs.1,00,000/- shall be paid, as agreed to between the parties.

6. Respondent No.2 is present in person, represented by counsel 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.

7. 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 01.03.2018, 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.

8. In view of the above, the petition is allowed. FIR No.165/2014 under Sections 498/406/34 IPC, Police Station Jagat puri and the consequent proceedings emanating there from are quashed.

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

JUNE 01, 2018
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SANJEEV SACHDEVA, J

