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

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Judgment delivered on: 30.07.2018

+ CRL.M.C. 3212/2018

RAVI KALRA

..... Petitioner

versus

THE STATE (NCT OF DELHI) & ANR

..... Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. C.M. Sangwan, Advocate.

For the Respondent: Mr. Sanjeev Sabharwal, APP for State.
SI Sachin, PS Subhash Place.
Mr. Yogendra Verma, Adv. for R-2.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT
30.07.2018

SANJEEV SACHDEVA, J. (ORAL)

1. The petitioner seeks quashing of FIR No.97/2013, under Sections 406/498-A IPC, Police Station Subash Place/Saraswati Vihar.
2. The subject FIR emanates out of a matrimonial discord.
3. Petitioner is the husband of the respondent No.2.
4. Learned counsel for the petitioner submits that the parties have

settled their disputes through the process of mediation held before the Mediation Centre, Rohini Courts on 19.10.2013.

5. As per the settlement, the petitioner has undertaken to pay a sum of Rs.50,000/- per month to the respondent No.2 as well as the children. He has also undertaken to bear further expenses for higher education and marriage of the children as per his capacity.

6. Petitioner, who is present in Court in person, undertakes that he shall abide by the settlement conditions.

7. The permanent custody of the minor child is to remain with the respondent No.2 with visitation rights to the petitioner.

8. The petitioner further undertakes that he shall not claim any rights contrary to the settlement terms.

9. The undertakings are accepted.

10. Respondent No.2 is present in person, represented by counsel and identified by the Investigating Officer. She submits that she has settled her disputes with the petitioner and does not wish to press charges against the petitioner and prosecute the complaint any further.

11. 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, 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.

12. In view of the above, the petition is allowed. FIR No.97/2013, under Sections 406/498-A IPC, Police Station Subash Place/Saraswati Vihar and the consequent proceedings emanating there from are quashed.

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

JULY 30, 2018
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SANJEEV SACHDEVA, J