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

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Judgment delivered on: 11.07.2018

+ CRL.M.C. 3322/2018

GITESH RAMDEVA

..... Petitioner

versus

STATE NCT OF DELHI & ORS

..... Respondents

Advocates who appeared in this case:

For the Petitioner : Mr.Vinay Mohan Sharma, Adv.

For the Respondent: Mr. Sanjeev Sabharwal, Addl. PP for
the State with SI Amit Kundu, P.S.Moti Nagar

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

11.07.2018

SANJEEV SACHDEVA, J. (ORAL)

1. The petitioner seeks quashing of FIR No. 1258 of 2014 under Sections 498A/406/34 of the IPC at Police Station Moti Nagar, New Delhi, based on a settlement. It is contended that the FIR was lodged consequent to a matrimonial discord.

2. The subject FIR was registered against the petitioner as well as respondent Nos.3 & 4. Petitioner is the husband of respondent No.2. Respondent No.3 is the mother of petitioner and respondent No.4 is the sister of the petitioner.

3. Learned counsel appearing for the petitioner as well as respondent No.2 who appears in person submit that they have settled their disputes and they have started living together amicably as husband and wife. Respondent No.2 further submits that she has settled all her disputes with her husband and does not wish to prosecute the complaint either against her husband or against her mother-in-law and sister-in-law who are respondent Nos.3 & 4. She submits that in view of the fact that she has settled with her husband and wants to restore the family ties, she wants that the entire FIR be quashed against the petitioner as well as respondent Nos.3 & 4.

4. Notice was sent to respondent No.3 & 4. Respondent No.4 is present in Court in person. She submits that respondent No.3, her mother could not be present in person as she is not well and is suffering from severe arthritis and is on bed rest. She, however, submits that she has no objection to the quashing of the FIR even against her and her mother.

5. In view of the fact that the disputes between the petitioner and respondent No.2 have been settled and they have started living together, 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 FIRs and the consequent proceedings emanating

there from.

6. In view of the above, the petition is allowed. FIR No. 1258 of 2014 under Sections 498A/406/34 of the IPC at Police Station Moti Nagar, New Delhi and the consequent proceedings therefrom are, accordingly quashed as against the petitioner and also respondents 3 and 4.

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

SANJEEV SACHDEVA, J

JULY 11, 2018/rk

