

\$~13

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 4526/2014**

DEEPAK BATRA

..... Petitioner

Through : Mr Kapil Gupta and Mr Himlata
Ranga, Advocates.

versus

STATE & ANR

..... Respondents

Through : Mr Mukesh Kumar, Addl. PP for the
State.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

%

27.02.2018

1. By this petition, petitioner seek quashing of FIR No.404/2013, under Sections 498A/406/34 IPC, Police Station Vasant Kunj (South).
2. The subject FIR emanates out of a matrimonial discord. Petitioner is the husband of respondent No.2.
3. Parties have settled their dispute. The Settlement Terms have been recorded in judgment dated 12.12.2017, whereby the Second Motion was allowed.
4. By way of settlement, a total sum of Rs.9,00,000/- was agreed to be paid to respondent No.2 towards full and final settlement of all her claims. A sum of Rs.6.5 lakhs has already been paid and balance amount of Rs.2,50,000/- has been paid today in Court by way of a Cheque bearing No.218538 dated 27.02.2018 issued by the State Bank of India, Safdarjung Enclave.
5. Petitioner is present in person. He undertakes that the Cheque

shall be honoured on its presentation. The undertaking is accepted.

6. Respondent No.2 is present in Court in person, is identified by the Investigating Officer. She confirms that the settlement has taken place and further that the marriage between the parties has been dissolved by way of decree of divorce dated 12.12.2017, copy of the same has been filed, which is taken on record. She also submits that she does not wish to press her complaint any further.

7. In view of the above and keeping in view of the fact that the FIR emanates from a matrimonial discord and the parties have resolved their dispute through a settlement and the Settlement Terms have been recorded in judgment dated 12.12.2017, and 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.

8. Accordingly, of FIR No.404/2013, under Sections 498A/406/34 IPC, Police Station Vasant Kunj (South) and the consequent proceedings emanating therefrom are hereby quashed.

9. Order Dasti under signatures of Court Master.

SANJEEV SACHDEVA, J

FEBRUARY 27, 2018/§D'