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

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Judgment delivered on: 13.07.2018

+ CRL.M.C. 3440/2018

ANKAN SURI

..... Petitioner

versus

STATE & ANR

..... Respondents

Advocates who appeared in this case:

For the Petitioner :

Mr. Mohit Gupta with Mr. Diwij Soni and Mr. Rohit Aggarwal, Advocates with petitioner in person.

For the Respondent:

Mr. Sanjeev Sabharwal, APP for the State.
SI Satishy Lohia, PS Hauz Khas.
Mr. Pramod Saigal, Advocate for R-2.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

13.07.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl.M.A.12491/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 3440/2018

1. The petitioner seeks quashing of FIR No.141/2017 under Sections 498A/406/34 IPC, Police Station Hauz Khas.

2. The subject FIR emanates out of matrimonial discord. Petitioner is the husband of respondent No.2.

3. Learned counsel for the petitioner submits that the parties have settled their disputes through the process of mediation held before Mediation Centre, Saket Courts on 17.07.2017. The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 28.02.2018.

4. Respondent No.2 was to be paid a total sum of Rs.10,00,000/- in full and final settlement of all her claims. A sum of Rs.7,00,000/- has already been paid. The balance sum of Rs.3,00,000/- has been paid to the respondent No.2 by way of Pay Order No.091009 dated 13.07.2018 drawn on Standard Chartered Bank.

5. The 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 petitioner and does not wish to press charges against the petitioner and prosecute the complaint any further.

6. 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 28.02.2018, 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.

7. In view of the above, the petition is allowed. FIR No.141/2017 under Sections 498A/406/34 IPC, Police Station Hauz Khas and the consequent proceedings emanating there from are quashed.

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

JULY 13, 2018
st

SANJEEV SACHDEVA, J

नस्यमेव जयते