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

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Judgment delivered on: 10.10.2018

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CRL.M.C. 3454/2018

RAHUL SINGH & ORS

..... Petitioners

versus

STATE ( GOVT OF NCT DELHI) & ORS

..... Respondents

**Advocates who appeared in this case:**

For the Petitioners : Mr. Abhay Kumar, Advocate.

For the Respondents : Mr. Kamal Kumar Ghai, APP for the State.  
Mr. Surender Kumar, Advocate for respondent No.2  
with respondent No.2 in person.

**CORAM:-**

**HON'BLE MR JUSTICE SANJEEV SACHDEVA**

**JUDGMENT**

**10.10.2018**

**SANJEEV SACHDEVA, J. (ORAL)**

**Crl.M.A.12546/2018 (exemption)**

Exemption is allowed subject to all just exceptions.

**Crl.M.A.34069/2018 (for impleadment)**

Petitioner by the application seeks impleadment of Mrs. Prem, who is also a co-accused as Petitioner No. 5.

For the reasons stated in the application, application is allowed. Mrs Prem is impleaded as petitioner No. 5. Amended memo of parties is taken on record.

**CRL.M.C. 3454/2018**

1. Petitioners seek quashing of FIR No.67/2014 under Sections 498A/406/34 IPC, Police Station Ghazipur.

2. Prayer for exemption is made on behalf of petitioner Nos.1, 2, 3 and 5. It is submitted that the petitioner Nos.1, 2 and 5 are ill and on account of illness could not attend the Court and petitioner No.3, the wife of the petitioner No.2, is attending to petitioner Nos.1 and 2 and on account of which, she also could not come to Court. They have filed their affidavits in support of the petition.

3. In view of the above, petitioner Nos.1, 2, 3 and 5 are granted exemption from personal appearance.

4. Subject FIR emanates out of matrimonial discord. Petitioner No.1 is the husband of the respondent No.2. Petitioner Nos.2 and 3 are the father-in-law and mother-in-law of the respondent No.2. Petitioner No.4 is the brother-in-law of the respondent No.2. Petitioner No.5 is the relative of the husband of the respondent No.2.

5. Learned counsel for the petitioners submits that the disputes between the parties have been settled. Petitioner No. 1 and respondent No. 2 have already been divorced by way of a decree of divorce by mutual consent, passed on 07.02.2018.

6. As per the settlement, respondent No.2 was to be paid a total sum of Rs.4,70,000/- in full and final settlement of all her claims. She confirms receipt of the entire amount of Rs.4,70,000/-.

7. 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.

8. 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 07.02.2018, 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 therefrom.

9. In view of the above, the petition is allowed. FIR No.67/2014 under Sections 498A/406/34 IPC, Police Station Ghazipur and the consequent proceedings emanating there from are quashed.

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

**OCTOBER 10, 2018**  
**st**

**SANJEEV SACHDEVA, J**