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

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Judgment delivered on: 21.08.2018

+ CRL.M.C. 3637/2018

JOGENDER SHARMA @ RAJU & ORS.

..... Petitioners

versus

STATE & ANOTHER

..... Respondents

who appeared in this case:

For the Petitioner : Mr.A.K.Azad, Adv.

For the Respondent: Mr.Kamal Kr.Ghai, Addl. PP for the State with SI
Ashish Kumar, P.S.Bhajanpura.
Mohd.Elahi, Adv. for R-2.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

21.08.2018

SANJEEV SACHDEVA, J. (ORAL)

1. The petitioners seek quashing of FIR No. 1483 of 2014 under Sections 498A/406/34 of the IPC registered at Police Station Bhajanpura, Delhi, based on a settlement. It is contended that the FIR was lodged consequent to a matrimonial discord.

2. Learned counsels for the parties submit that the parties have settled their disputes by way of a settlement dated 23.04.2018 before the Counselling Cell, Family Courts, Karkardooma Courts, Delhi.

3. As per the settlement, a total sum of Rs. 10,00,000/- has been agreed to be paid to respondent no. 2. The entire amount has already been paid. The parties have already been divorced by way of a decree of divorce by

mutual consent, passed on 28.07.2018.

4. It is further agreed between the parties that the custody of the minor child shall remain with respondent no. 2. The petitioner who is present in court in person undertakes that he shall not claim any right contrary to the settlement terms. The undertaking is accepted.

5. Respondent no. 2 who is present in court in person is identified by the Investigating Officer submits that she has settled the dispute with the petitioners and is agreeable to the settlement and does not wish to press the criminal charges against the petitioners any further.

6. In view of the fact that the disputes between the petitioners and respondent no. 2 emanate out of a matrimonial discord and have been settled, 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.

7. In view of the above, the petition is allowed. FIR No. 1483 of 2014 under Sections 498A/406/34 of the IPC registered at Police Station Bhajanpura, Delhi and the consequent proceedings there from are, accordingly quashed.

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

AUGUST 21, 2018/rk

SANJEEV SACHDEVA, J