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

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Judgment delivered on: 05.09.2018

+ CRL.M.C. 4093/2018

SH. RAJIV SHARMA

..... Petitioner

versus

THE STATE (GOVT. OF NCT OF DELHI) & ANR.

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. Vinod Kumar Khanna, Advocate.

For the Respondent : Mr. Kamal Kumar Ghai, APP for the State with the Investigating Officer.
Mr. S.K. Vasisht, Advocate for respondent No.2 with respondent No.2 in person.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

05.09.2018

SANJEEV SACHDEVA, J. (ORAL)

1. The petitioner seeks quashing of FIR No.130/2000 under Sections 498-A/406/34 IPC, Police Station Vasant Kunj.
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, Rohini Court on 09.08.2017. The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 03.04.2018.

4. The respondent No.2 was to be paid a total sum of Rs.7,00,000/- in full and final settlement of all her claims. A sum of Rs.4,00,000/- has already been paid. The balance sum of Rs.3,00,000/- has been paid to the respondent No.2 by way of Demand Draft No.643333 dated 31.08.2018 drawn on Indian Overseas 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 03.04.2018, 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.

7. In view of the above, the petition is allowed. FIR No.130/2000 under Sections 498-A/406/34 IPC, Police Station Vasant Kunj and the consequent proceedings emanating there from are quashed.

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

SEPTEMBER 05, 2018
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SANJEEV SACHDEVA, J

नस्यमेव जयते