

\$~63

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

%

Judgment delivered on: 27.07.2018

+

CRL.M.C. 3702/2018

JATIN KUMAR & ORS

..... Petitioners

versus

STATE & ANR

..... Respondents

Advocates who appeared in this case:

For the Petitioners :

Mr. Shoueb Hasan with Mr. Jameel
Ahmed, Advocates.
Mr. Rajpal Kasana, Advocate.

For the Respondent:

Mr. Panna Lal Sharma, APP for the
State.
SI Prateek Saxena, PS Jaitpur.
Mr. Shamsher Ali, Advocate for R-2 with R-2 in
person.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

27.07.2018

SANJEEV SACHDEVA, J. (ORAL)

1. The petitioners seek quashing of FIR No.657/2014 under Sections 498A/406/34 IPC, Police Station Jaitpur.
2. The subject FIR emanates out of matrimonial discord.

3. Petitioner No.1 is the husband of respondent No.2. Petitioner No.2 is the mother-in-law of the respondent No.2.

4. Learned counsel for the petitioners submit that the parties have settled their disputes before the Counselling Cell, Family Court, Saket on 02.11.2016. The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 10.10.2017.

5. The respondent No.2 was to be paid a total sum of Rs.3,50,000/-. A sum of Rs.2,50,000/- has already been paid. The balance sum of Rs.1,00,000/- has been paid to the respondent No.2 by way of Demand Draft No.894450 dated 19.07.2018 drawn on Punjab & Sind Bank.

6. 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 petitioners and does not wish to press charges against the petitioners and prosecute the complaint any further.

7. 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 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 10.10.2017, 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.

8. In view of the above, the petition is allowed. FIR No.657/2014 under Sections 498A/406/34 IPC, Police Station Jaitpur and the consequent proceedings emanating there from are, accordingly quashed.

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

JULY 27, 2018
st

SANJEEV SACHDEVA, J