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

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Judgment delivered on: 09.08.2018

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CRL.M.C. 3803/2018

MR. PRASHANT CHAUDHARY & ORS. Petitioners

versus

STATE (NCT OF DELHI) & ANR. Respondents

Advocates who appeared in this case:

For the Petitioners : Mr. Rajesh Chhetri, Advocate.

For the Respondents: Ms. Neelam Sharma, APP for the
State with SI Kartar Singh, P.S.Bindapur.
Ms.Meenakshi Rawat, Adv. for R-2 along with
respondent No.2 in person.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

09.08.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl. M.A. 28980/2018(exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 3803/2018

1. The petitioners seek quashing of FIR No.716 of 2016 under Sections 498A/406/34 IPC, Police Station Bindapur, based on a settlement. It is contended that the FIR was lodged consequent to a matrimonial discord.

2. As per the settlement, a total sum of Rs. 18,40,000/- was agreed to be paid to respondent no. 2. The amount of Rs. 9,00,000/- has already been paid to respondent no. 2. The balance amount of Rs.9,40,000/- has been paid by way of Demand draft No.568481 dated 07.08.2018 drawn on Canara Bank.

3. Learned counsels for the parties submit that the parties have settled their disputes and have amicably dissolved their marriage by mutual consent and decree of divorce dated 20.04.2018 has been passed. It is further submitted on behalf of the parties that parties had entered into the settlement before the Family Court, Dwarka Courts, New Delhi dated 30.06.2017.

4. Learned counsels for the parties inform that other disputes between the parties have also been resolved and proceedings have been concluded on the basis of the subject settlement.

5. Respondent no. 2 who is present in court in person and represented by counsel, is identified by the IO. Respondent no. 2 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 petitioner 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 there from.

7. In view of the above, the petition is allowed. FIR No.716 of 2016 under Sections 498A/406/34 IPC, Police Station Bindapur, and the consequent proceedings there from are, accordingly quashed.

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

AUGUST 09, 2018

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SANJEEV SACHDEVA, J