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

% Judgment delivered on: 25.07.2018

+ CRL.M.C. 3650/2018

ABHISHEK CHADHA & ORS. Petitioners

versus

STATE (NCT OF DELHI) & ANR. Respondents

Advocates who appeared in this case:

For the Petitioners : Mr. J.P. Sharma with Mr. D.K. Sharma, Advocates.

For the Respondent: Mr. Kamal Kumar Gahi, APP for the State.
SI Usha, PS Bindapur.
Mr. D.P. Verma, Advocate for R-2.

**CORAM:-
HON'BLE MR JUSTICE SANJEEV SACHDEVA**

**JUDGMENT
25.07.2018**

SANJEEV SACHDEVA, J. (ORAL)

Crl. M.A. 28458/2018(Exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 3650/2018

1. The petitioners seek quashing of FIR No.106/2017 under Sections 498A/406/34 IPC, Police Station Bindapur, South.

2. The subject FIR emanates out of matrimonial discord.
3. Petitioner No.1 is the husband of respondent No.2. Petitioner Nos.2 & 3 are the father-in-law and mother-in-law of the respondent No.2. Petitioner No.4 is the sister-in-law of the respondent No.2. Petitioner No.5 is the husband of the petitioner No.4.
4. Learned counsel for the petitioners submit that the disputes between the parties have been settled and a settlement agreement dated 12.09.2017 has been executed between the parties. The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 23.03.2018.
5. The respondent No.2 was to be paid a total sum of Rs.4,30,000/-. A sum of Rs.3,00,000/- has already been paid. The balance sum of Rs.1,30,000/- has been paid to the respondent No.2 by way of Demand Draft No.327692 dated 23.07.2018 drawn on Syndicate 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 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 23.03.2018, 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 there from.

8. In view of the above, the petition is allowed. FIR No.106/2017 under Sections 498A/406/34 IPC, Police Station: Bindapur, South and the consequent proceedings emanating therefrom are, accordingly quashed.

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

JULY 25, 2018
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SANJEEV SACHDEVA, J