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

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Judgment delivered on: 03.10.2018

+ CRL.M.C. 4703/2018

SHRI VIRENDER KUMAR & ORS

..... Petitioners

versus

STATE & ANR

..... Respondents

Through

Advocates who appeared in this case:

For the Petitioner : Ms. Padma Priya, Mr. Arpit Agrawal, Mr. Sanjeev Rawat
and Ms. Maulshree Pathak, Advs.

For the Respondents : Mr. Kewal Singh Ahuja, APP for the State
with ASI Arun Kumar & ASI Teja Ram

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

03.10.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl. M.A. 32149/2018 (Exemption)

Allowed, subject to all just exceptions.

Crl. M.A. 32150/2018 (condonation of delay in re-filing)

For the reasons stated in the application, the delay in re-filing the petition is condoned. The application is disposed of.

CRL.M.C. 4703/2018

1. Petitioners seek quashing of FIR No. 122 of 2012 under Sections 498A/406/34 of the IPC registered at Police Station Najafgarh, Delhi, based on a settlement.

2. Subject FIR emanates out of matrimonial discord.

3. Learned counsel for the petitioners submits that the parties have settled their disputes and they have started residing together amicably. Settlement dated 23.10.2015 has been executed before Delhi Mediation Centre, Dwarka Courts, Delhi. Both the parties undertake that they shall abide by the settlement terms.

4. The respondent No.2 is present in person 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.

5. 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 started residing together amicably and happily, 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.

6. In view of the above, the petition is allowed FIR No. 122 of 2012 under Sections 498A/406/34 of the IPC registered at Police Station Najafgarh, Delhi and the consequent proceedings emanating there from are quashed.

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

OCTOBER 03, 2018
'rs'

SANJEEV SACHDEVA, J



सत्यमेव जयते