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

% Judgment delivered on: 10.08.2018

+ CRL.M.C. 4024/2018

DHIRENDER PRATAP SINGH Petitioner

versus

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

Advocates who appeared in this case:

For the Petitioners : Mr. Mukesh Birla, Advocate.

For the Respondent: Mr. Kamal Kumar Ghai, APP for the
State.
SI Vishal Tiwari, PS Ambedkar
Nagar.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT
10.08.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl.M.A.29722/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 4024/2018

1. The petitioner seeks quashing of FIR No.124/2012 under Sections 406/498A/34 IPC, Police Station Ambedkar Nagar.

2. The subject FIR emanates out of matrimonial discord. Petitioner is the husband of respondent No.2.

3. Learned counsel for the petitioners submits that the parties have settled their disputes through the process of mediation held before Mediation Centre, Saket Courts on 19.05.2017. The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 03.05.2018.

4. The respondent No.2 was to be paid a total sum of Rs.10,00,000/- in full and final settlement of all her claims. The entire sum of Rs.10,00,000/- has already been paid to the respondent No.2.

5. As per the settlement, custody of two minor children born out of wedlock is to remain with respondent No.2. The petitioner who is present in Court in person undertakes that he shall not claim rights contrary to the settlement terms. Undertaking is accepted.

6. 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 petitioner and does not wish to press charges against the petitioner 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 03.05.2018, 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.

8. In view of the above, the petition is allowed. FIR No.124/2012 under Sections 406/498A/34 IPC, Police Station Ambedkar Nagar and the consequent proceedings emanating there from are quashed.

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

AUGUST 10, 2018
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SANJEEV SACHDEVA, J