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

% Judgment delivered on: 31.07.2018
+ CRL.M.C. 3772/2018

MS. VINNY RAJPAL Petitioner

versus

STATE & ANR Respondents

AND

+ CRL.M.C. 3774/2018

RAJIV RAJPAL Petitioner

versus

STATE & ANR Respondents

Advocates who appeared in this case:

For the Petitioner(s) : Mr. Tushar Saini, Advocate.

For the Respondent: Ms. Neelam Sharma, Addl. PP for the State
with ASI Lavkesh Kumar (Crl. M.C. 3772/2018)
Mr. Kamal Kr. Ghai, Addl. PP for the State
with SI Ajeet Kumar (Crl. M.C. 3774/2018)

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

**JUDGMENT
31.07.2018**

SANJEEV SACHDEVA, J. (ORAL)

**Crl. M.A. 28878/2018 (Exemption) in Crl. M.C. 3772/2018 & Crl.
M.A. 28883/2018 (Exemption) in Crl. M.C. 3774/2018**

Allowed, subject to all just exceptions.

Crl. M.C. 3772/2018 & Crl. M.C. 3774/2018

1. The petitioner, in Crl. M.C. 3772/2018, seeks quashing of FIR No. 11 of 2017 under Sections 468/471 of the IPC Police Station Chanakya Puri, New Delhi and the petitioner, in Crl. M.C. 3774/2018, seeks quashing of FIR No. 94 of 2015 under Section 498-A/406 of the IPC Police Station C.R. Park, New Delhi, based on a settlement.

2. The subject FIRs emanate out of matrimonial discord. The accused/petitioner, in Crl. M.C. 3772/2018 is the wife and complainant is the husband and the accused/petitioner, in Crl. M.C. 3774/2018, is the husband and complainant is the wife. Subject FIRs are cross FIRs.

3. Learned counsels for the parties submit that the parties have settled their disputes and the parties have already obtained divorce by mutual consent. It is further submitted on behalf of the parties that a Memorandum of Settlement dated 22.06.2018 has been executed between the parties. As per the settlement, husband-Rajiv Rajpal had to pay a total sum of Rs. 20 lakhs to the wife-Vinny Rajpal. The entire sum of Rs. 20 lakhs is stated to have been paid which is acknowledged by Ms. Vinny Rajpal.

4. There are two children borne out of the wedlock. As per the settlement, the children shall remain in the custody of the mother.

5. Both the parties are present in person in court and are identified by the Investigating Officer. Ms. Vinny Rajpal confirms that she has received the entire sum of Rs. 20 lakhs. Parties submit that they have settled their disputes with each other and are agreeable to the settlement and do not wish to press criminal charges against each other any further.

6. In view of the fact that the disputes between the parties 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 therefrom.

7. In view of the above, both the petitions are allowed. FIR No. 11 of 2017 under Sections 468/471 of the IPC Police Station Chanakya Puri, New Delhi and FIR No. 94 of 2015 under Section 498-A/406 of the IPC Police Station C.R. Park, New Delhi and the consequent proceedings emanating there from are, accordingly quashed.

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

SANJEEV SACHDEVA, J

JULY 31, 2018/‘rs’