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

% Judgment delivered on: 09.08.2018
+ CRL.M.C. 4013/2018

MALKHAN MEENA & ORS. Petitioners

versus

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

Advocates who appeared in this case:

For the Petitioner : Mr. Narendra Gautam and Mr. Amarnath, Advs.

For the Respondent: Mr. Neelam Sharma, Addl. PP for the State with
ASI Devender Singh
Mr. Jameel Ahmed, Adv. for R-2 with R-2 in
person

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

09.08.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl. M.C. 29659/2018 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 4013/2018

1. The petitioners seek quashing of FIR No. 231 of 2016 under Sections 498A/406/34 of the IPC registered at Police Station Defence Colony, New Delhi, based on a settlement. It is contended that the FIR was lodged consequent to a matrimonial discord.

2. Learned counsels for the parties submit that parties have settled their disputes and have amicably dissolved their marriage by mutual consent and decree of divorce dated 03.05.2018 has been passed.

3. It is further submitted on behalf of the parties that parties had entered into a settlement dated 18.01.2017 recorded before the Family Court, Saket. As per the settlement, total sum of Rs. 5,35,000/- has been agreed to be paid to respondent no. 2. A sum of Rs. 4,00,000/- has already been paid and the balance sum of Rs. 1,35,000/- has been paid to respondent no. 2, by way of Demand Draft No. 859076 dated 04.07.2018 issued by Punjab National Bank, today in Court.

4. Respondent no. 2 who is present in court in person, represented by her counsel, is identified by the Investigating Officer. Respondent no. 2 submits that she has settled the dispute with the petitioner(s) and is agreeable to the settlement and does not wish to press the criminal charges against the petitioner(s) any further.

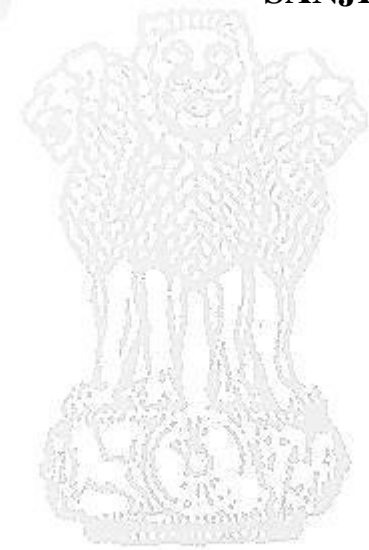
5. In view of the fact that the disputes between the petitioner(s) and respondent no. 2 emanate out of a matrimonial discord and have been settled, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end 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 therefrom.

6. In view of the above, the petition is allowed. FIR No. 231 of 2016 under Sections 498A/406/34 of the IPC registered at Police Station Defence Colony, New Delhi and the consequent proceedings therefrom are, accordingly quashed.

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

AUGUST 09, 2018
'rs'

SANJEEV SACHDEVA, J



नस्यमेव जयते