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

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Judgment delivered on: 29.08.2018

+ CRL.M.C. 4372/2018

SH. CHUNNI MANOJ KUMAR & ORS. Petitioners

versus

STATE (NCT OF DELHI) & ANR. Respondents

Advocates who appeared in this case:

For the Petitioners : Ms. Ritu Goyal, Advocate.

For the Respondents: Mr. Sanjeev Sabharwal, APP for the
State.
ASI Jai Kishan, PS Mangol Puri.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

29.08.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl.M.A.30911/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 4378/2018

1. The petitioners seek quashing of FIR No.94/2016 under Sections 498A/406/34 IPC read with Section 4 Dowry Prohibition Act, Police Station Mangolpuri.

2. The subject FIR emanates out of matrimonial discord.

Petitioner No.1 is the husband of respondent No.2. Petitioner Nos.2 and 3 are the father-in-law and mother-in-law of the respondent No.2.

3. Learned counsel for the petitioners submits that the parties have settled their disputes and a Settlement Deed dated 26.06.2018 has been executed between the parties. The parties have already been divorced by way of decree of divorce, passed on 09.05.2017.

4. The respondent No.2 was to be paid a total sum of Rs.2,00,000/- in full and final settlement of all her claims. A sum of Rs.1,00,000/- has already been paid. The balance sum of Rs.1,00,000/- has been paid to the respondent No.2 today in Court in cash.

5. As per the settlement, the three minor children shall remain in the permanent custody of their father/petitioner. The respondent No.2 who is present in Court, undertakes that she shall not claim any rights contrary to the settlement terms. The undertaking is accepted.

6. The respondent No.2 is present in person and is identified by the Investigating Officer. She acknowledges the receipt of the entire sum of Rs.2,00,000/-. She further 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, passed on 09.05.2017, 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.94/2016 under Sections 498A/406/34 IPC read with Section 4 Dowry Prohibition Act, Police Station Mangolpuri and the consequent proceedings emanating there from are quashed.

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

AUGUST 29, 2018
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SANJEEV SACHDEVA, J