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

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Judgment delivered on: 15.10.2018

+ CRL.M.C. 3895/2018

ASHWANI

..... Petitioner

versus

STATE (NCT OF DELHI) & ANR.

..... Respondents

Advocates who appeared in this case:

For the Petitioners : Mr.Sanjay Gupta, Adv.

For the Respondents : Mr. Raghuvinder Verma, Addl. PP for the State
with ASI Subhash Pandey, P.S.Jagat Puri.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

15.10.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks quashing of FIR No. 196 of 2016 under Sections 498A/354 IPC registered at Police Station Jagat Puri, Delhi, based on a settlement.

2. Subject FIR emanates out of matrimonial discord.

3. Learned counsel for the petitioners submits that parties have

settled their disputes and the settlement dated 02.05.2018 has been executed between the parties.

4. As per the settlement, a total sum of Rs. 14 lakhs has been agreed to be paid by the petitioner to respondent no. 2 in full and final settlement of all the claims of respondent no. 2. Rs. 6 lakhs has been agreed to be paid at the time of quashing. Said amount of Rs.6,00,000/- is being paid today by way of DD No. 020501 dated 30.07.2018 issued by IDBI Bank for Rs.4,00,000/- and Rs.2,00,000/- is being paid by way of DD No.020502 dated 30.07.2018 issued by IDBI Bank to respondent no. 2.

5. It is also agreed that parties shall apply for divorce by mutual consent and the balance amount of Rs.8 lakhs shall be paid in two instalments of Rs. 4 lakhs at the time of recording of the first motion and the second motion respectively. Parties undertake that they shall abide by the terms of the undertaking. The undertaking is accepted.

6. Respondent No.2 is present in person, represented by her counsel 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 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, 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. 196 of 2016 under Sections 498A/354 IPC registered at Police Station Jagat Puri, Delhi and the consequent proceedings emanating there from are quashed.

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

OCTOBER 15, 2018
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SANJEEV SACHDEVA, J