

\$~62

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

% Judgment delivered on: 14.08.2018
+ CRL.M.C. 4086/2018

SURENDER KUMAR GUPTA & ORS Petitioners

versus

THE STATE (NCT OF DELHI) & ANR. Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Saurabh Jhamb, Adv. along with petitioners in person.

For the Respondent: Mr. Panna Lal Sharma, Addl. PP for the State with
SI C.L. Meena
Mr. Ashutosh Mishra, Adv. for R-2

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

**JUDGMENT
14.08.2018**

SANJEEV SACHDEVA, J. (ORAL)

Crl. M.A. 29930/2018 (Exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 4086/2018

1. The petitioners seek quashing of FIR No. 983 of 2015 under Sections 498A/406/34 of the IPC registered at Police Station Gokal

Puri (District North-East), Delhi, based on a settlement. It is contended that the FIR was lodged consequent to a matrimonial discord.

2. Learned counsel for the parties submit that the parties have settled their disputes and have amicably dissolved their marriage by mutual consent and decree of divorce dated 25.01.2018 has been passed. It is also submitted that the settlement, has been executed between the parties on 08.08.2017, before Counselling Cell, Family Courts, Karkardooma Courts, Delhi. As per the settlement, a total sum of Rs. 5 lakhs has been agreed to be paid to respondent no. 2. A sum of Rs. 3,00,000/- has already been paid to respondent no. 2 and the balance sum of Rs. 2,00,000/-, by way of DD No. 069907 dated 06.08.2018 issued by Bank of Baroda, has been paid to respondent no. 2 today in Court.

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

4. In view of the fact that the disputes between the petitioners 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.

5. In view of the above, the petition is allowed. FIR No. 983 of 2015 under Sections 498A/406/34 of the IPC registered at Police Station Gokal Puri (District North-East), Delhi, and the consequent proceedings therefrom are, accordingly quashed.

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

AUGUST 14, 2018
'rs'

SANJEEV SACHDEVA, J

नस्यमेव जयते