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

% Judgment delivered on: 08.08.2018

+ CRL.M.C. 3989/2018
SUNIL KUMAR ADLAKHA & ORS Petitioners

versus
STATE & ORS Respondents

Advocates who appeared in this case:

For the Petitioners : Mr. Gaurav Singh with Mr. Ravi
Ranjan, Advocates.

For the Respondent: Mr. Panna Lal Sharma, APP for the
State with SI Sanju Rai Singh, CWC Nanak Pura.
Ms. Shikha Tyagi, Advocate for R-2.

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

**JUDGMENT
08.08.2018**

SANJEEV SACHDEVA, J. (ORAL)

Crl.M.A.29579/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 3989/2018

1. The petitioners seek quashing of FIR No.73/2015 under Sections 498A/406/34 IPC, Police Station Crime(Women) Cell Nanak Pura.

2. The subject FIR emanates out of matrimonial discord.
3. Petitioner No.1 is the husband of respondent No.2. Petitioner No.2 is the father-in-law of the respondent No.2. Petitioner No.3 is the brother-in-law of the respondent No.2. Petitioner No.4 is the wife of the brother-in-law of the respondent No.2.
4. Learned counsel for the petitioners submits that the parties have settled their disputes through the process of mediation held before Delhi Mediation Centre, Tis Hazari Courts on 25.05.2017. The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 24.01.2018.
5. The respondent No.2 was to be paid a total sum of Rs.80,00,000/-. The entire said sum of Rs.80,00,000/- has already been paid to the respondent No.2.
6. As per the settlement, the permanent custody of the minor daughter is with the respondent No.2 with visitation rights in favour of the petitioner. The petitioner, who is present in Court in person, undertakes that he shall not claim any rights contrary to the settlement agreement.
7. The respondent No.2 is present in person, represented by counsel and is identified by the Investigating Officer. She 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.

8. 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 by mutual consent, passed on 24.01.2018, 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 there from.

9. In view of the above, the petition is allowed. FIR No.73/2015 under Sections 498A/406/34 IPC, Police Station Crime(Women) Cell Nanak Pura and the consequent proceedings emanating therefrom are, accordingly quashed.

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

SANJEEV SACHDEVA, J

AUGUST 08, 2018
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