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

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Judgment delivered on: 07.09.2018

+ CRL.M.C. 3954/2018

DEEPAK GOEL

..... Petitioner

versus

NCT OF DELHI & ANR.

..... Respondents

Advocates who appeared in this case:

For the Petitioners : Mr. Prashant Kumar Mittal, Adv.

For the Respondent: Mr. Sanjeev Sabharwal, APP for the State with SI
Aseem Kumar
Mr. S.S. Tomar, Adv. for R-2

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

07.09.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl.M.A. 29441/2018 (Exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 3954/2018 & Crl. M.A. 29440/2018

1. On the oral prayer of the petitioner, petitioner no. 2 and 3 father and mother of petitioner no. 1 are impleaded as co-petitioners.

Amended memo of parties along with their affidavits and identity proofs are taken on record.

2. Petitioners seek quashing of FIR No.753 of 2016 under Sections 406/498A/34 IPC registered at Police Station Tilak Nagar, New Delhi, based on a settlement.

3. Subject FIR emanates out of matrimonial discord.

4. Learned counsel for the parties submit that the parties have settled their disputes before the Counselling Cell, Tis Hazari Courts, Delhi on 13.09.2017.

5. As per the settlement, a total sum of Rs. 6,60,000/- was agreed to be paid to respondent no. 2. A sum of Rs. 4,40,000/- has already been paid to respondent no. 2 and the balance sum of Rs. 2,20,000/- is being paid to respondent no. 2 today in Court by way of DD No. 660600 dated 06.08.2018 issued by Canara Bank.

6. The respondent No.2 is present in person, represented by her counsel and is identified by the Investigating Officer. She confirms that she has received the entire amount. 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 against the petitioners.

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, 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.753 of 2016 under Sections 406/498A/34 IPC registered at Police Station Tilak Nagar, New Delhi and the consequent proceedings emanating there from are quashed.

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

SANJEEV SACHDEVA, J

SEPTEMBER 07, 2018

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