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

% Judgment delivered on: 09.08.2018

+ CRL.M.C. 3998/2018

NARAYAN PRAMANIK Petitioner

versus

THE STATE & ANR Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Harish Dasan with Mr. Rajiv Ranjan, Advocates.

For the Respondent: Mr. Panna Lal Sharma, APP for the State.
Mr. Ankur Raghav, Advocate for R-2.
SI Sunil Kumar, PS Govindpuri.

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

**JUDGMENT
09.08.2018**

SANJEEV SACHDEVA, J. (ORAL)

Crl.M.A.29620/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 3998/2018 & Crl.M.A.29621/2018 (stay)

1. The petitioner seeks quashing of FIR No.782/2015 under

Sections 498A/406 IPC, Police Station Govind Puri.

2. The subject FIR emanates out of matrimonial discord. Petitioner is the husband of respondent No.2.

3. Learned counsel for the petitioner submits that the parties have settled their disputes through the process of mediation held before Mediation Centre, Saket Courts on 16.11.2017. The parties have already been divorced by way of a decree of divorce passed on 03.05.2016.

4. The respondent No.2 was to be paid a total sum of Rs.2,50,000/- in full and final settlement of all her claims. A sum of Rs.50,000/- has already been paid. The balance sum of Rs.2,00,000/- has been paid to the respondent No.2 by way of Demand Draft No.967145 dated 10.07.2018 drawn on United Bank of India.

5. As per the settlement, the permanent custody of the minor child 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. The undertaking is accepted.

6. 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 petitioner 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 by, passed on 03.05.2016, 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.

8. In view of the above, the petition is allowed. FIR No.782/2015 under Sections 498A/406 IPC, Police Station Govind Puri and the consequent proceedings emanating therefrom are, accordingly quashed.

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

SANJEEV SACHDEVA, J

AUGUST 09, 2018
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