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

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Judgment delivered on: 21.08.2018

+ CRL.M.C. 4217/2018
POONAM SHARMA

..... Petitioner

versus

THE STATE OF NCT OF DELHI & ANR. Respondents

Advocates who appeared in this case:

For the Petitioners : Mr. M.M. Khan with Ms. Faise, Advocates.

For the Respondent: Mr. Raghuvender Verma, APP for the State.
Mr. Rajat Wadhwa with Mr. Raviyanay Singh,
Advocates for the complainant.
SI Ajay Kumar, PS Kirti Nagar.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

21.08.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl.M.A.30369/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 4217/2018

1. The petitioner seeks quashing of FIR No.478/2013 under Sections 385/506 IPC, Police Station Kirti Nagar.
2. The allegations in the FIR are that the petitioner accused had

procured a false marriage certificate and threatened the complainant.

3. Learned counsel for the petitioner submits that the parties have settled their disputes. Parties have even jointly applied for divorce by mutual consent and the First Motion had already been allowed on 01.08.2018.

4. Parties, who are present in Court in person, undertake that they shall apply for the Second Motion in accordance with law. The undertaking is accepted.

5. Learned APP for the State informs that the police has even filed a cancellation report and the same is still pending consideration.

6. The respondent No.2 complainant has agreed to pay a total sum of Rs.45,00,000/- to the petitioner in lieu of present, past and future maintenance, cost of litigation, permanent alimony etc. Out of the said total sum, Rs.30,00,000/- has already been paid by the respondent No.2 complainant, which is acknowledged by the petitioner, who is present in person in Court. The respondent No.2, who is present in person, undertakes that the balance amount of Rs.15,00,000/- shall be paid at the time of the recording of the statement on the Second Motion. The undertaking is accepted.

7. The respondent No.2 complainant is present in person, represented by counsel and is identified by the Investigating Officer. He submits that he has settled his disputes with the petitioner and does

not wish to prosecute the complaint any further and has no objection to the quashing of the subject FIR.

8. In view of the fact that the parties have resolved their disputes and respondent No. 2 does not wish to press his complaint, 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.

9. In view of the above, the petition is allowed. FIR No.478/2013 under Sections 385/506 IPC, Police Station Kirti Nagar and the consequent proceedings emanating there from are quashed.

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

AUGUST 21, 2018
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SANJEEV SACHDEVA, J