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

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Judgment delivered on: 27.08.2018

+ CRL.M.C. 4291/2018

PRADEEP KASHYAP

..... Petitioner

versus

STATE & ANR.

..... Respondents

Advocates who appeared in this case:

For the Petitioners : Mr. Om Prakash, Advocate with
petitioners in person.

For the Respondents: Mr. Sanjeev Sabharwal, APP for the
State.
SI Sanjeev Kumar, PS Marya Nagar.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

27.08.2018

SANJEEV SACHDEVA, J. (ORAL)

1. The petitioner seeks quashing of FIR No.87/2015 under Sections 498A/406/34 IPC, Police Station Maurya Enclave.
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 disputes between the parties have been settled and the terms of settlement have

been mentioned in paragraph 6 of the petition. The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 18.01.2017.

4. As per the settlement, the respondent No.2 was to be paid a total sum of Rs.2,20,000/- in full and final settlement of all her claims. A sum of Rs.1,40,000/- has already been paid. The balance sum of Rs.80,000/- has been paid to the respondent No.2 in Court today by way of Demand Draft No.498035 dated 18.07.2018 drawn on Syndicate Bank.

5. The respondent No.2 is present in person 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 petitioner and prosecute the complaint any further.

6. 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 18.01.2017, 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.

7. In view of the above, the petition is allowed. FIR No.87/2015 under Sections 498A/406/34 IPC, Police Station Maurya Enclave and the consequent proceedings emanating there from are quashed.

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

AUGUST 27, 2018
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SANJEEV SACHDEVA, J

