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

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Judgment delivered on: 17.08.2018

+ CRL.M.C. 4165/2018

RAJEEV VERMA & ORS.

..... Petitioners

versus

THE STATE & ANR.

..... Respondents

Advocates who appeared in this case:

For the Petitioners : Mr.Anshuman Gargesh, Adv.

For the Respondent: Ms. Neelam Sharma, APP for the State with
SI Himanshu Balyan
Mr.Deepak Sharma, Adv. for R-2.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

17.08.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl. M.A. 30200/2018(Exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 4165/2018 & Crl. M.A. 30199/2018

1. Learned counsel for the petitioner submits that petitioner no. 5 and 6 could not be present today on account of heavy traffic. He submits that they have filed affidavits in support of the petition and are agreeable to the quashing of the subject FIR. He prays that they

may be granted exemption from personal appearance. In view of the above, petitioner no. 5 and 6 are exempted from their personal appearance.

2. The petitioners seek quashing of FIR No. 231 of 2008 under Sections 498A of the IPC, Police Station Saraswati Vihar, New Delhi, based on a settlement.

3. Subject FIR emanates out of a matrimonial discord.

4. Petitioners and respondent No.2 who appears in person submit that they have settled their disputes before the Delhi Mediation Centre, Rohini Courts, Delhi on 20.02.2018. As per the settlement, parties have reconciled the disputes and Petitioner No.1 and respondent No.2 have started living together amicably as husband and wife.

5. The respondent No.2 is present in person, represented by counsel and is identified by the Investigating Officer. She submits that she has amicably resolved the disputes with her husband and they are now cohabiting together. She submits that she does not wish to press charges against the petitioners and has no objection to the quashing of the subject FIR.

6. In view of the fact that the disputes between the parties have been settled and Petitioner No.1 and respondent No.2 have started living together, 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.

7. In view of the above, the petition is allowed. FIR No. 231 of 2008 under Sections 498A of the IPC, Police Station Saraswati Vihar, New Delhi and the consequent proceedings therefrom are, accordingly quashed.

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

AUGUST 17, 2018
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SANJEEV SACHDEVA, J