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

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Judgment delivered on:04.09.2018

+ CRL.M.C. 4439/2018

VIKASH & ORS.

..... Petitioners

versus

THE STATE (NCT OF DELHI) & ANR. Respondents

Advocates who appeared in this case:

For the Petitioner : Ms. Pooja Aggarwal with Mr. S.K. Tiwari, Advocates, Advocates.

For the Respondent : Mr. Kewal Singh Ahuja, APP for the State with the IO Rajeev Kumar Mr. Dinesh Kumar, Advocate for respondent No.2 with respondent No.2 in person.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

04.09.2018

SANJEEV SACHDEVA, J. (ORAL)

1. The petitioners seek quashing of FIR No.2464/2014 under Sections 498A/406/34 IPC, Police Station Mehrauli.

2. The subject FIR emanates out of matrimonial discord. Petitioner No.1 is the husband of respondent No.2. Petitioner No.2 is the mother-in-law of the respondent No.2. Petitioner No.3 is the father-in-law of the respondent No.2.

3. Learned counsel for the petitioners submits that the parties have settled their disputes before the Counselling Cell, Family Court, Saket on 22.05.2017. The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 06.03.2018.

4. The respondent No.2 was to be paid a total sum of Rs.5,50,000/- in full and final settlement of all her claims. A sum of Rs.4,00,000/- has already been paid. The balance sum of Rs.1,50,000/- has been paid to the respondent No.2 by way of Demand Draft No.34563 dated 27.08.2018 drawn on Oriental Bank of Commerce.

5. 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 petitioners and does not wish to press charges against the petitioners 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 06.03.2018, 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.2464/2014 under Sections 498A/406/34 IPC, Police Station Mehrauli and the consequent proceedings emanating there from are quashed.

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

SEPTEMBER 04, 2018
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SANJEEV SACHDEVA, J

नस्यमेव जयते