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

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Judgment delivered on: 29.08.2018

+ CRL.M.C. 4378/2018

SH. MANOJ YADAV & ORS

..... Petitioners

versus

STATE (GOVT. N.C.T. OF DELHI) & ANR. Respondents

Advocates who appeared in this case:

For the Petitioners : Mr. Manish Bhadauria with Ms.
Priyanka Bhadauria, Advocates.

For the Respondents: Mr. Sanjeev Sabharwal, APP for the
State.
Mr. Devinder Kumar Sharma,
Advocate for R-2 with R-2 in person.
SI Deepak, PS Samaipur Badli.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT
29.08.2018

SANJEEV SACHDEVA, J. (ORAL)

CrI.M.A.30933/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 4378/2018

1. The petitioners seek quashing of FIR No.630/2015 under Sections 498A/406/34 IPC read with Section 4 Dowry Prohibition Act, Police Station Samaipur Badli.

2. The subject FIR emanates out of matrimonial discord. Petitioner No.1 is the husband of respondent No.2. Petitioner Nos.2 and 3 are the father-in-law and mother-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, North District, Rohini on 16.02.2018. The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 18.04.2018.

4. The respondent No.2 was to be paid a total sum of Rs.5,00,000/- in full and final settlement of all her claims. A sum of Rs.1,00,000/- has already been paid. The balance sum of Rs.4,00,000/- has been paid to the respondent No.2 by way of the following Demand Drafts:-

(i) *Demand Draft No.449287 dated 20.08.2018 drawn on Punjab National Bank for Rs.2,50,000/- and*

(ii) *Demand Draft No.449288 dated 20.08.2018 drawn on Punjab National Bank for Rs.1,50,000/-*

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 18.04.2018, 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.630/2015 under Sections 498A/406/34 IPC read with Section 4 Dowry Prohibition Act, Police Station Samaipur Badli and the consequent proceedings emanating there from are quashed.

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

AUGUST 29, 2018
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SANJEEV SACHDEVA, J