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

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Judgment delivered on:07.09.2018

+ CRL.M.C. 4523/2018

SURENDER & ORS.

..... Petitioners

versus

THE STATE (G.N.C.T. DELHI) & ANR. Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Davinder Verma, Advocate.

For the Respondent : Mr. Raghuvinder Verma, APP for the State.
Ms. Reena Singh, Advocate for R-2
with R-2 in person.
SI Ranbir Singh, PS Nangloi.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

07.09.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl.M.A.31537/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 4523/2018

1. The petitioners seek quashing of FIR No.8/2008 under Sections 498A/406/34 IPC, Police Station Nangloi.
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. Petitioner No.4 is the brother-in-law of the respondent No.2. Petitioner No.5 is the sister-in-law of the respondent No.2.

3. Learned counsel for the petitioners submits that the parties have settled their disputes through the process of mediation held before Delhi Mediation Centre, Tis Hazari on 16.07.2018. The parties have already been divorced by way of a decree of divorce passed on 15.12.2011.

4. The respondent No.2 was to be paid a total sum of Rs.2,00,000/- in full and final settlement of all her claims.

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, passed on 15.12.2011, 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.8/2008 under Sections 498A/406/34 IPC, Police Station Nangloi and the consequent proceedings emanating there from are quashed.

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

SEPTEMBER 07, 2018
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SANJEEV SACHDEVA, J

नस्यमेव जयते