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

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Judgment delivered on: 24.09.2018

+ CRL.M.C. 4859/2018

HARJINDER SINGH

..... Petitioner

versus

STATE ( GOVT OF NCT OF DELHI) & ANR. .... Respondents

**Advocates who appeared in this case:**

For the Petitioner : Mr. Parmil Yodha and Mr. Nand Lal Yodha, Advs.

For the Respondent: Mr. Raghuvinder Verma,, Addl. PP for  
the State with ASI Hawa Singh  
Mr. Neil Wadia, Advocate for R-2 with R-2 in  
person.

**CORAM:-**

**HON'BLE MR JUSTICE SANJEEV SACHDEVA**

**JUDGMENT**

**24.09.2018**

**SANJEEV SACHDEVA, J. (ORAL)**

1. Petitioner seeks quashing of FIR No. 244 of 2012 under Sections 498A/406/34 of the IPC registered at Police Station Nihal Vihar, Delhi, based on a settlement. It is contended that the FIR was lodged consequent to a matrimonial discord.

2. Learned counsel for the parties submit that the parties have entered into a settlement before the Delhi Mediation Centre, Tis

Hazari Courts, Delhi on 01.05.2018. The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 04.08.2018.

3. As per the settlement, a total sum of Rs. 1,00,000/- has been agreed to be paid to respondent no. 2. A sum of Rs. 70,000/- has already been paid and the balance sum of Rs. 30,000/- has been paid, today in Court to respondent No. 2 who is present in Court in person.

4. As per the settlement, the permanent custody of minor child shall remain with respondent No.2. The petitioner who is present in Court undertakes that he shall not claim any rights contrary to the settlement terms. The undertakings are accepted.

5. Respondent no. 2 is present in court in person, represented by counsel and is identified by the IO. Respondent no. 2 submits that she has settled the dispute with the petitioner and is agreeable to the settlement and does not wish to press the criminal charges against the petitioner any further.

6. In view of the fact that the disputes between the petitioner and respondent no. 2 emanate out of a matrimonial discord and have been settled, 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. 244 of 2012 under Sections 498A/406/34 of the IPC registered at Police Station Nihal Vihar, Delhi, and the consequent proceedings emanating there from are, accordingly quashed.

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

**SANJEEV SACHDEVA, J**

**SEPTEMBER 24, 2018**

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भारतमेव जयते