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

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Judgment delivered on: 26.09.2018

+ CRL.M.C. 4695/2018

PRAMJEET KAUSHIK & ORS

..... Petitioners

versus

STATE (GOVT OF NCT OF DELHI) & ANR Respondents

Advocates who appeared in this case:

For the Petitioners : Mr. Sajan K. Singh, Adv.

For the Respondents: Mr. Kewal Singh Ahuja,, Addl. PP for the State
with ASI Rajvir Singh
Mr. Parveen Kumar, Advocate for R-2 with R-2 in
person.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

26.09.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioners seek quashing of FIR No. 139 of 2011 under Sections 498A/406/34 of the IPC registered at Police Station Vijay Vihar, Delhi, based on a settlement. It is contended that the FIR was lodged consequent to a matrimonial discord.
2. Learned counsels for the parties submit that parties have entered into a settlement before the Delhi Mediation Centre, Rohini Courts, Delhi on 13.04.2018.
3. As per the settlement, the petitioner no. 1-husband has agreed to

maintain both respondent no. 2 as well as his minor daughter. It is contended that the parties have reconciled the dispute and have started living together amicably. Petitioner no. 1-husband is present in person in Court today. He undertakes that he shall take care of his family and shall abide by the terms of the settlement. The undertaking is accepted.

4. 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 petitioners and has started living together with her husband. She is agreeable to the settlement and does not wish to press criminal charges against the petitioners any further.

5. In view of the fact that the disputes between the petitioners 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.

6. In view of the above, the petition is allowed. FIR No. 139 of 2011 under Sections 498A/406/34 of the IPC registered at Police Station Vijay Vihar, Delhi and the consequent proceedings emanating there from are, accordingly quashed.

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

SEPTEMBER 26, 2018/‘rs’

SANJEEV SACHDEVA, J