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

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Judgment delivered on:01.10.2018

+ CRL.M.C. 4998/2018

INDERJEET SISODIA & ORS

..... Petitioners

versus

THE STATE & ANR

..... Respondents

Advocates who appeared in this case:

For the Petitioners : Mr. Alok Singh and Mr. Abhishek Singh, Advs.

For the Respondents : Mr. Raghuvinder Verma, Addl. PP for the State
with ASI Satya Pal Singh
Mr. Ajay Kumar, Adv. for R-2

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

01.10.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl. M.A. 33266/2018 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 4998/2018

1. Petitioners seek quashing of FIR No. 217 of 2009 under Sections 498A/406/34 IPC registered at Police Station Pandav

Nagar, East Delhi, based on a settlement.

2. Subject FIR emanates out of matrimonial discord.

3. Learned counsel for the petitioners submits that the parties have settled their disputes through the process of mediation held before Delhi Mediation Centre, Karkardooma Courts, Delhi on 02.05.2017. Parties have amicably dissolved the marriage by mutual consent and decree of divorce dated 09.05.2018 has been passed.

4. As per the settlement, a total sum of Rs. One lakh has been agreed to be paid by the petitioners to respondent no. 2 in full and final settlement of all the claims of respondent no. 2. The said sum of Rs. One lakh is being paid by way of DD/Bankers Cheque No. 547856 dated 26.07.2018 and No. 547920 dated 18.08.2018 for a sum of Rs. 50,000/- each issued by Canara Bank to respondent no. 2, today in Court.

5. Respondent No.2 is present in person, represented by her 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 09.05.2018, 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. As per the settlement the minor child shall remain in the permanent custody of respondent No.2. Petitioners who are present in Court undertake that they shall not claim any rights contrary to the settlement terms.

8. In view of the above, the petition is allowed. FIR No. 217 of 2009 under Sections 498A/406/34 IPC registered at Police Station Pandav Nagar, East Delhi and the consequent proceedings emanating there from are quashed.

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

OCTOBER 01, 2018
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SANJEEV SACHDEVA, J