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

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Judgment delivered on: 25.09.2018

+ CRL.M.C. 4901/2018

MR.SONU @ TINKU

..... Petitioner

versus

STATE & ANR

..... Respondents

Advocates who appeared in this case:

For the Petitioner : Mr.A.K.Sharma, Adv.

For the Respondent: Mr. Hirein Sharma, Addl. PP for the State
with ASI Hawa Singh, P.S.Nihal Vihar

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

25.09.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl.M.A.32874/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 4901/2018

1. On the oral prayer of the petitioner, Smt.Maya Devi w/o. Sh.Rajinder is impleaded as petitioner No.2. Amended memo of parties and her affidavit is taken on record.

2. Petitioners seek quashing of FIR No. 62 of 2012 under Sections

498A/406 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.

3. Learned counsel for the parties submit that the parties have entered into a settlement before the Delhi Mediation Centre, Tis Hazari Court on 26.04.2016. The parties have already been divorced by way of a decree of divorce, passed on 30.03.2018.

4. As per the settlement, a sum of Rs. 60,000/- was agreed to be paid. A sum of Rs.40,000/- has already been paid. Banker's Cheque No.222873 dated 17.07.2018 issued by Bank of India for Rs.20,000/- has been handed over and for the balance to respondent no. 2 who is present in Court in person.

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

6. 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.

7. In view of the above, the petition is allowed. FIR No. 62 of 2012 under Sections 498A/406 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 25, 2018

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नस्यमेव जयते