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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. 4916/2018

GOLDI ARORA & ORS.

..... Petitioners

versus

THE STATE & ANR.

..... Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. J.S. Kanwar, Advocate.

For the Respondents : Mr. Raghuvender Verma, APP for the State.
Mr. Rajesh Vasisht, Advocate for R-2.
SI Omender Kumar, PS Welcome.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

26.09.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl.M.A.32944/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 4916/2018

1. Petitioners seek quashing of FIR No.11/2012 under Sections 498-A/406/34 IPC read with Section 4 Dowry Prohibition Act, Police Station Welcome.

2. Subject FIR emanates out of matrimonial discord. Petitioner

No.1 is the husband of respondent No.2. Petitioner No.2 is the brother-in-law of the respondent No.2. Petitioner No.3 is the wife of the brother-in-law of the respondent No.2. Petitioner No.4 is the sister-in-law of the respondent No.2. Petitioner No.5 is the husband of the sister-in-law of the respondent No.2.

3. Learned counsel for the petitioners submits that the parties have settled their disputes before the Counselling Cell, Family Court, Karkardooma Courts on 15.12.2017. Parties have already been divorced by way of a decree of divorce by mutual consent, passed on 14.08.2018.

4. Respondent No.2 was to be paid a total sum of Rs.1,40,000/- in full and final settlement of all her claims. A sum of Rs.1,00,000/- has already been paid. The balance sum of Rs.40,000/- has been paid to the respondent No.2 by way of Demand Draft No.001166 dated 12.09.2018 drawn on Bank of Baroda.

5. 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 by mutual consent, passed on 14.08.2018, 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. In view of the above, the petition is allowed. FIR No.11/2012 under Sections 498-A/406/34 IPC read with Section 4 Dowry Prohibition Act, Police Station Welcome and the consequent proceedings emanating there from are quashed.

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

SEPTEMBER 26, 2018
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SANJEEV SACHDEVA, J