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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. 4954/2018

SH. PARAS KAPIL & ORS.

..... Petitioners

versus

STATE & ANR.

..... Respondents

Advocates who appeared in this case:

For the Petitioner : Ms.Renu Kuhar, Advocate.

For the Respondents : Mr.Panna Lal Sharma, APP for the State.
Ms.Neelam Yadav, Advocate for
respondent No.2 with respondent No.2 in person.
SI Ashish Kumar, PS Bhajan Pura.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

01.10.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioners seek quashing of FIR No.588/2016 under Sections 498A/406/34 IPC and Section 4 of the Dowry Prohibition Act, Police Station Bhajan Pura, based on the settlement.

2. Subject FIR emanates out of matrimonial discord.

3. Learned counsel for the petitioners submits that the parties have settled their disputes and a Settlement/MOU dated 22.05.2018 has

been executed. Petitioner No. 1 and respondent No. 2 have already been divorced by way of a decree of divorce by mutual consent, passed on 07.08.2018.

4. Respondent No.2 was to be paid a total sum of Rs.5,00,000/- in full and final settlement of all her claims. The entire sum of Rs.5,00,000/- has already been paid as well as all articles of jewellery etc have also been returned.

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 07.08.2018, 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.588/2016 under Sections 498A/406/34 IPC and Section 4 of the Dowry Prohibition Act, Police Station Bhajan Pura and the consequent proceedings emanating there from are quashed.

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

OCTOBER 01, 2018

SANJEEV SACHDEVA, J

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नित्यमेव जयते