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

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Judgment delivered on:03.10.2018

+ CRL.M.C. 5049/2018

SUNIL KUMAR & ORS.

..... Petitioners

versus

STATE & ANR.

..... Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Bhairav Dass & Mr. Mr. Yogesh Dass,
Advocates.

For the Respondents : Mr. Sanjeev Sabharwal, Addl. PP for the State
SI Vijay Kumar, PS Farsh Bazar.
Mr. Krishan Kumar & Mr. Vipin Chander,
Advocates for R-2.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

03.10.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl. M.A. No.33437/2018 (for exemption)

Exemption allowed, subject to all just exceptions.

Crl. M.C. No.5049/2018 & Crl. M.A. No.33436/2018 (for stay)

1. The petitioners seek quashing of FIR No.269/2010 under Sections 498A/406/34 IPC and Section 3/4 Dowry Prohibition Act,

Police Station Farsh Bazar, 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 25.08.2018.

4. It is stated that the husband of respondent No.2 has expired in the year 2012. Smt. Mahendri Devi, mother-in-law of respondent No.2 has also expired on 26.07.2018.

5. Petitioners are the in-laws of respondent No.2. Initially there was a settlement between the parties whereby they had agreed to pay a sum of Rs.2,50,000/- to respondent No.2. Subsequently an MOU dated 25.09.2018 has been executed. As per the MOU, respondent No.2 has agreed to quashing of the subject FIR without receipt of any further amount.

6. Respondent No.2 is present in person, represented by counsel and is identified by the Investigating Officer and she is also accompanied by her brother, Surender Khopa. Respondent No.2 submits that she has settled her disputes with the petitioners and does not wish to prosecute the company any further and has no objection to the quashing of the subject FIR.

7. 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, 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.

8. In view of the above, the petition is allowed. FIR No.269/2010 under Sections 498A/406/34 IPC and Section 3/4 Dowry Prohibition Act, Police Station Farsh Bazar and the consequent proceedings emanating there from are quashed.

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

OCTOBER 03, 2018
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SANJEEV SACHDEVA, J