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

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Judgment delivered on: 15.10.2018

+ CRL.M.C. 5295/2018

SUSHANT VADHERA & ORS

..... Petitioners

versus

STATE (NCT OF DELHI)

..... Respondent

Advocates who appeared in this case:

For the Petitioners : Mr. Santosh Kumar, Adv. with petitioners in person.

For the Respondents : Mr. Hirein Sharma, Addl. PP for the State with W/SI Jyoti Singh
Ms. Juhi Arora, Advocate. for complainant

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

15.10.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioners seek quashing of FIR No. 489 of 2016 under Sections 498A/406/34 IPC registered at Police Station R.K. Puram, New Delhi, based on a settlement.

2. Subject FIR emanates out of matrimonial discord.

3. Learned counsel for the petitioners submits that parties have settled their disputes and the settlement dated 05.07.2018 has been executed between the parties. Parties have amicably dissolved their marriage by mutual consent and decree of divorce dated 05.09.2018 has been passed.

4. As per the settlement, a total sum of Rs. 10 lakhs 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. A sum of Rs. 6 lakhs has already been paid to respondent no. 2 and the balance sum of Rs. 4 lakhs is being paid by way of DD/Bankers Cheque No. 184037 dated 05.10.2018 issued by Axis Bank Ltd. 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 by mutual consent, passed on 05.09.2018, 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. 489 of 2016 under Sections 498A/406/34 IPC registered at Police Station R.K. Puram, New Delhi and the consequent proceedings emanating there from are quashed.

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

OCTOBER 15, 2018
‘rs’

SANJEEV SACHDEVA, J