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

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Judgment delivered on: 08.10.2018

+ CRL.M.C. 5136/2018

VIPIN KUMAR SHARMA & ORS.

..... Petitioners

versus

STATE & ANR.

..... Respondents

**Advocates who appeared in this case:**

For the Petitioners : Mr.Manmohan & Mr.Manoj Kumar Sharma,  
Advocates with petitioners in person.

For the Respondents : Mr.Hirein Sharma, APP for the State  
Mr.Sushant Sagar, Advocate for R-2  
with R-2 in person.

**CORAM:-**

**HON'BLE MR JUSTICE SANJEEV SACHDEVA**

**JUDGMENT**

**08.10.2018**

**SANJEEV SACHDEVA, J. (ORAL)**

**CRL.M.A.Nos.33802-33803/2018**

Exemption allowed, subject to all just exceptions.

The applications are disposed of.

**CRL.M.C. 5136/2018**

1. Petitioners seek quashing of FIR No. 291 of 2016 under Sections 406/498A/34 IPC, registered at Police Station Jagat Puri and consequent proceedings emanating therefrom, based on a settlement.
2. Subject FIR emanates out of matrimonial discord.
3. It is stated by the learned counsel for the petitioner that the co-accused Amit has since expired, the parties have reconciled their dispute before the Delhi Mediation Centre, Karkardooma Courts vide settlement agreement dated 28<sup>th</sup> September, 2018.
4. The Respondent No.2, who is wife of the petitioner No.1 has started living with the petitioner No.1. The parties are present in the court in person and submit that they have amicably resolved their dispute.
5. The respondent No.2 is present in person and 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 respondent No.2 has started living together with the petitioner No.1, 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 of FIR No. 291 of 2016 under Sections 406/498A/34 IPC registered at Police Station Jagat Puri and the consequent proceedings emanating there from are quashed.

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

**OCTOBER 08, 2018**  
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**SANJEEV SACHDEVA, J**

नस्यमेव जयते