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

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Judgment delivered on:11.10.2018

+ CRL.M.C. 5227/2018

NEERAJ KISHORE & ORS

..... Petitioners

versus

STATE & ANR

..... Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Vinod Paul, Adv.

For the Respondents : Mr. Panna Lal Sharma, Addl. PP for the State with
SI Rameshwar Prasad.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

11.10.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl. M.A. 34111/2018 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 5227/2018

1. Petitioners seek quashing of FIR No. 263 of 2016 under Sections 498A/406/34 IPC registered at Police Station Fatehpur Beri, 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 settlement dated 22.11.2017 has been arrived at between the parties before the Family Court, Dwarka. Parties have amicably dissolved their marriage by mutual consent and decree of divorce dated 19.09.2018 has been passed.

4. As per the settlement, a total sum of Rs. 7,75,000/- 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. 5 lakhs has already been paid and the balance sum of Rs. 2,75,000/- is being paid by way of DD/Bankers Cheque No. 188820 dated 09.10.2018 issued by Indian Bank to respondent no. 2, today in Court.

5. Respondent No.2 is present in person 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, passed on 19.09.2018, 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. 263 of 2016 under Sections 498A/406/34 IPC registered at Police Station Fatehpur Beri, Delhi and the consequent proceedings emanating there from are quashed.

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

OCTOBER 11, 2018
'rs'

SANJEEV SACHDEVA, J

न्यायमेव जयते