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

+ **CRL.M.C. 554/2018**

SANCHIT KAPOOR & ORS

..... Petitioners

Through Ms. Aarushi Bansal, Advocate.

versus

STATE (GOVT OF NCT OF DELHI) & ANR Respondents

Through Mr. Arun Kumar Sharma, APP for the State.

ASI Shambhu Singh, PS Mianwali Nagar.

Mr. Ratnesh Kant, Advocate for R-2.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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05.04.2018

Crl.M.A.2025/2018 (exemption)

Exemption is allowed subject to all just exceptions.

Crl.M.A.2026/2018 (for condonation of delay in re-filing)

For the reasons stated in the application, the application is allowed. The delay in re-filing the petition is condoned.

CRL.M.C. 554/2018

1. The petitioners seek quashing of FIR No.842/2014 under Sections 498A/406/34 IPC, Police Station Mianwali Nagar.

2. The subject FIR emanates out of matrimonial discord. Petitioner No.1 is the husband of respondent No.2. Petitioner Nos.2 &

3 are the parents of the petitioner No.1. Petitioner No.4 is the brother of the petitioner No.1.

3. Learned counsel for the petitioners submits that the parties have settled their disputes before the Counselling Cell, Tis Hazari Courts and have entered into a settlement agreement dated 10.01.2017. The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 04.09.2017.

4. The respondent No.2 was to be paid a total sum of Rs.3,10,000/- in full and final settlement of all her claims. A sum of Rs.2,00,000/- has already been paid. The balance sum of Rs.1,10,000/- has been paid to the respondent No.2 by way of Demand Draft No.185707 dated 01.02.2018 drawn on State Bank of India.

5. The 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 04.09.2017, 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, FIR No.842/2014 under Sections 498A/406/34 IPC, Police Station Mianwali Nagar and the consequent proceedings emanating there from are quashed.

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

SANJEEV SACHDEVA, J

APRIL 05, 2018
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