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

+ **CRL.M.C. 5334/2017**

JATANVIR & ORS.

..... Petitioners

Through

Mr. Lalit Kumar, Advocate for
petitioner Nos.1 to 3.

versus

THE STATE (NCT OF DELHI) & ANR.

..... Respondents

Through

Mr. Arun Kumar Sharma, APP for the
State.

Mr. Rajbabu, Advocate for
respondent No.2.

SI Ranbir Singh, PS Nangloi.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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09.02.2018

Crl.M.A.20889/2017 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 5334/2017

1. The petitioners seek quashing of FIR No.750/2002 under Sections 498A/406/34 IPC, Police Station Nangloi.

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

3. Learned counsel for the petitioners submits that the parties have entered into a settlement agreement dated 20.08.2014 through the process of mediation, held at Delhi Mediation Centre, Tis Hazari Courts, Delhi. The parties have already been divorced by way of a

decree of divorce by mutual consent, passed on 29.07.2008.

4. The respondent No.2 was to be paid a total sum of Rs.50,000/- in full and final settlement of all her claims. The said sum of Rs.50,000/- has already been paid. A Fixed Deposit Receipt in the sum of Rs.30,000/- in the name of the minor daughter of the parties is with the respondent No.2. The respondent No.2 submits that since the Fixed Deposit Receipt was created by the petitioner, the said Fixed Deposit Receipt be encashed and the amount of Rs.30,000/- remitted to the account of the minor daughter, who is nearly 18 years of age.

5. Learned counsel for the petitioner, under instructions from the petitioner, undertakes that the said Fixed Deposit Receipt would be encashed on the date of its maturity and the amount of Rs.30,000/- along with accrued interest thereon would be deposited in the name of the minor daughter in her account in Punjab National Bank. The undertaking is accepted.

6. 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.

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 and the fact that the parties have

already been divorced by way of a decree of divorce by mutual consent, passed on 29.07.2008, and in the interest of justice, it would be expedient to quash the subject FIR and the consequent proceedings emanating there from.

8. In view of the above, FIR No.750/2002 under Sections 498A/406/34 IPC, Police Station Nangloi and the consequent proceedings emanating there from are quashed.

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

SANJEEV SACHDEVA, J

FEBRUARY 09, 2018
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