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

+ **CRL.M.C. 5126/2017**

JAIKRISHAN K

..... Petitioner

Through: Mr. R. Satish Kumar, Adv.

versus

THE STATE GOVT OF NCT OF DELHI & ANR Respondents

Through: Mr. Akshai Malik, Addl. PP for the
State with SI Shrikrishna

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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02.05.2018

1. The petitioner seeks quashing of FIR No. 622 of 2016 under Sections 498A/406/34 of the IPC Police Station Hari Nagar, Delhi, based on a settlement. It is contended that the FIR was lodged consequent to a matrimonial discord.

2. On the oral prayer of the petitioner, petitioner no. 2, 3 and 4 are impleaded as petitioner. Amended memo of parties is taken on record. It is informed that petitioner no. 4 is not well and the petitioner no. 3 is at home taking care of petitioner no. 4. In view of the above, petitioner no. 3 and 4 are granted exemption from personal appearance.

3. Learned counsels for the parties submit that the parties have settled their disputes and the parties have already applied for the decree of divorce by mutual consent. It is further submitted on behalf of the parties that parties had entered into the settlement before the Counselling Cell, Tis

Hazari Courts, Delhi. The statement of the parties for the second motion was recorded on 01.05.2018. A total sum of Rs. 5.50 lakhs has been agreed to be paid to respondent no. 2. A sum of Rs. 3.50 lakhs has already been paid and the balance sum of Rs. 2,00,000/- has been paid to respondent no. 2 by way of Demand Draft No. 817444 dated 26.04.2018 issued by Indian Bank today in the Court.

4. Respondent no. 2 is present in court in person and is identified by the Investigating Officer. She submits that she has settled the dispute with the petitioner and is agreeable to the settlement and does not wish to press the criminal charges against the petitioner any further.

5. In view of the fact that the disputes between the petitioner and respondent no. 2 emanate out of a matrimonial discord and have been settled, 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.

6. In view of the above, the petition is allowed. FIR No. 622 of 2016 under Sections 498A/406/34 of the IPC Police Station Hari Nagar, Delhi and the consequent proceedings therefrom are, accordingly quashed.

7. Order Dasti under signatures of the Court Master.

SANJEEV SACHDEVA, J

MAY 02, 2018

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