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

+ **CRL.M.C. 5388/2017**

PARVINDER & ORS

..... Petitioners

Through Ms. Natasha Rani, Advocate with
petitioners in person.

versus

THE STATE GOVT OF NCT OF DELHI & ANR Respondents

Through Mr. Arun Kumar Sharma, APP for
State.
Mr. Raj Kumar Chandiwal with Mr.
Rajat, Advocates for respondent No.2.
SI Naveen Malik, AS Aman Vihar.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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23.01.2018

Crl.M.A. 21060/2017 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 5388/2017

1. The petitioners, by the present petition, seek quashing of FIR No.483/13 under Section 498-A/406/34 IPC, Police Station Aman Vihar, registered on the complaint of respondent No.2.

2. The petitioner No.1 is the husband of the respondent No.2. The petitioner Nos.2 to 8 are the relations of the petitioner No.1. It may be noticed that one of the co-accused Mr. Surender has expired on

19.02.2016. His Death Certificate is annexed with the petition.

3. The subject FIR emanates out of a matrimonial discord. Parties have settled their disputes. As per the settlement agreement dated 14.05.2016, recorded before the Family Court, a total sum of Rs.3,10,000/- was to be paid to the respondent No.2. A sum of Rs.2,10,000/- has already been paid. A sum of Rs.1,00,000 /- has been paid to the respondent No.2 in Court today by way of a cheque No.3006 dated 24.10.2017 drawn on Axis Bank.

4. The respondent No.2, who is present in person and is represented by her counsel and is also identified by the Investigating Officer confirms that the parties have settled their disputes and the compromise/settlement deed dated 14.05.2016 has been executed. Consequent to the settlement, the petitioner No.1 and the respondent No.2 have already dissolved their marriage by way of a decree of divorce dated 14.05.2016 by mutual consent. She confirms that she does not wish to prosecute the criminal proceedings any further.

5. In view of the settlement between the parties and the fact that the marriage between the respondent No.2 and her husband has already been dissolved by way of a decree of divorce by mutual consent and further all disputes between the petitioners and respondent No.2 have been amicably settled and the respondent No.2 does not wish to prosecute the complaint any further, 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 FIR No.483/13 under Section 498-A/406/34 IPC, Police Station Aman Vihar and the consequent proceedings emanating therefrom are quashed.

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

SANJEEV SACHDEVA, J

JANUARY 23, 2018
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