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

+ CRL.M.C. 130/2018

LOKESH KUMAR &ORS

..... Petitioners

Through: Mr. Kishore Kumar, Adv.

Versus

STATE (GOVT OF NCT OF DELHI) & ANR Respondents

Through: Mr. Arun Kr. Sharma, Addl. PP for
the State with SI Ashok Kumar
Respondent no. 2 Smt. Meenakshi
with her brother

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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11.01.2018

Crl. M.A. 566/2018 (Exemption)

Allowed, subject to all just exceptions.

CRL. M.C. 130/2018

1. Petitioners seek quashing of FIR No. 339 of 2015 under Sections 498A/406/34 of the IPC, P.S. Patel Nagar, Delhi.

2. It is contended that the FIR was lodged consequent to a matrimonial discord. Petitioner no. 1 was husband of respondent no. 2 and respondent no. 2 and 3 are parents of petitioner no. 1. It is submitted that the parties have settled the disputes through the process of mediation held at Delhi Mediation Centre, Tis Hazari Courts, Delhi. The agreement was entered on 03.05.2016 wherein the

petitioner had agreed to pay a sum of Rs. 2 lakhs to respondent no. 2. A sum of Rs. 1,50,000/- in two equal instalments payable to the respondent no. 2 has already been at the time of recording of First Motion and Second Motion respectively. It is contended that Second Motion has been allowed and a decree of divorce passed on 01.06.2017.

3. A sum of Rs. 50,000/- has been handed over to the respondent no. 2 by way of banker's cheques bearing no. 403517 and 403518 for the sum of Rs. 25,000/- each, both dated 15.09.2017 (revalidated till 21.03.2018).

4. Respondent no. 2 who is present in person in Court and is identified by the Investigating Officer acknowledges receipt of the said amount and confirms that she had settled her disputes with the petitioners and does not wish to press the proceedings any further.

5. In view of the fact that the disputes between the petitioners and respondent no. 2 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 FIR No. 339 of 2015 under Sections 498A/406/34 of the IPC, P.S. Patel Nagar, Delhi and the consequent proceedings emanating therefrom.

6. In view of the above, the petition is allowed. The FIR No. 339 of 2015 under Sections 498A/406/34 of the IPC, P.S. Patel Nagar,

Delhi and the consequent proceedings therefrom are, accordingly quashed.

7. Order Dasti under signatures of the Court Master.

SANJEEV SACHDEVA, J

JANUARY 11, 2018
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