

\$~4

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

CRL.M.C. 5482/2017

SOURABH MITTAL & ORS

..... Petitioners

Through : Mr Vinit Virmani, Mr R.K.Kohli and
Mr Taseen Kumar Makhija,
Advocates.

versus

STATE (GOVT OF NCT OF DELHI) & ANR Respondents

Through : Ms Anita Abraham, APP.
SI Karamvir, PS Narela.
Mr R.K.Sharma and Mr K.C.Garg,
Advocates for R-2.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

%

30.01.2018

Crl.M.A.21334/2017(exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 5482/2017

1. By this petition, the petitioners seek quashing of FIR No.510/2016 under Sections 406/498A/34 IPC, Police Station Narela, District Outer Delhi.
2. The subject FIR emanates out of matrimonial discord. Petitioner No.1 was the ex-husband of respondent No.2. Petitioner Nos.2 & 3 are the parents of petitioner No.1. Petitioner No.4 is the brother of petitioner No.1.
3. Parties have settled their dispute. The Settlement Agreement dated 09.11.2015 has been executed between the parties.

4. Respondent No.2 is present in Court in person, is represented by counsel and identified by the Investigating Officer. She confirms that the settlement has taken place and further that the marriage between the parties has been dissolved by way of mutual consent on 10.11.2017. A total sum of Rs.15 lakhs was to be paid to respondent No.2 in full and final settlement of all her claims. A sum of Rs.9.5 lakhs has already been paid and balance amount of Rs.5,50,000/- has been paid by way of Manager's Cheque bearing No.008852 dated 15.11.2017 issued by the HDFC Bank of India, Rohini, Sector-7 , New Delhi-110085, which is accepted in the Court today.

5. In view of the above and keeping in view of the fact that the FIR emanates from matrimonial discord and the parties have resolved their dispute through a Settlement Agreement dated 09.11.2015 and respondent No. 2 does not wish to press her complaint, 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. Accordingly, FIR No.510/2016 under Sections 406/498A/34 IPC, Police Station Narela, District Outer Delhi and the consequent proceedings emanating therefrom are hereby quashed.

7. Order Dasti under signatures of Court Master.

JANUARY 30, 2018/§D'

SANJEEV SACHDEVA, J