

\$~66

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

+ **CRL.M.C. 635/2018**

PARVEEN KUMAR & ORS

..... Petitioners

Through : Mr Ajay Sinha, Advocate.

versus

THE STATE GOVT OF NCT OF DELHI & ANR

..... Respondent

Through : Mr Arun Kumar Sharma, Addl. PP
for the State.
SI Sunder Singh, PS Baba Haridas
Nagar.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **06.02.2018**

Crl. M.A. 2293/2018(delay in re-filing for 25 days)

1. For the reasons stated in the application, the application is allowed. The delay in re-filing the petition is condoned.
2. The application stands disposed of accordingly.

CRL.M.C. 635/2018

1. By this petition, the petitioners seek quashing of FIR No.530 /2014 under Sections 498A/406/354/34 IPC, Police Station Baba Hari Das Nagar.

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

& 3 are the parents of petitioner No.1. Petitioner Nos.4 & 5 are brother and sister of petitioner No.1.

3. Parties have settled their dispute through a counselling settlement on 19.11.2016 before the Mediation Centre, Dwarka Courts, New Delhi.

4. By way of the settlement, a total sum of Rs.4,00,000/- was agreed to be paid to respondent No.2 towards full and final settlement of all her claims. A sum of Rs.3,00,000/- lakhs has already been paid and balance amount of Rs.1 lakh has been paid in the Court today by way of Banker's Cheque bearing No.093280 dated 27.09.2017 issued by the State Bank of India, Najafgarh Village Branch, which is accepted by respondent No.2/complainant.

5. Respondent No.2 is present in Court in person, represented by counsel and identified by the Investigating Officer. She confirms that the settlement has taken place and further that marriage between the parties has been dissolved by a decree of divorce by way of mutual consent on 24.08.2017. She also submits that she does not wish to press her complaint any further.

6. 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 counselling Settlement on 19.11.2016 before the Mediation Centre, Dwarka Courts, New Delhi, 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.

7. Accordingly, FIR No.530/2014 under Sections 498A/406/354/34 IPC, Police Station Baba Hari Das Nagar and the consequent proceedings emanating therefrom are hereby quashed.

8. Order Dasti under signatures of Court Master.

SANJEEV SACHDEVA, J

FEBRUARY 06, 2018

‘§n’