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

% Judgment delivered on: 14.02.2019
+ CRL.M.C. 831/2019

NARESH KUMAR & ORS. Petitioners

versus

STATE & ANR. Respondents

Advocates who appeared in this case:

For the Petitioners : Mr. Vishvava Nath Kumar, Adv. along with petitioner

For the Respondents: Mr. Raghuvinder Verma, Addl. PP for the State with SI Surender Singh
Mr. Harsh Vardhan, Adv. for R-2 with R-2 in person.

**CORAM:-
HON'BLE MR JUSTICE SANJEEV SACHDEVA**

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

Crl. M.A. 3346/2019 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 831/2019

1. Petitioners seek quashing of FIR No. 151 of 2012 under Sections 498A/406/34 IPC registered at Police Station Vijay Vihar, Delhi, based on a settlement.

2. Subject FIR emanates out of matrimonial discord.

3. Learned counsel for the petitioners submits that parties have settled their disputes and the settlement dated 29.08.2018 between the parties has been executed before Delhi Mediation Centre, Rohini Courts, Delhi.

4. It is further submitted by the parties that the parties have already been divorced by decree of divorce dated 28.11.2014.

5. As per the settlement, a total sum of Rs. 1,75,000/- has been agreed to be paid to respondent no. 2. A sum of Rs. 30,000/- has already been paid and the balance sum of Rs. 1,45,000/- by way of Demand Draft/Bankers' Cheque No. 150070 dated 28.01.2019 issued by Punjab National Bank, has been paid to respondent no. 2 today in Court.

6. Respondent No.2 is present in person, represented by her counsel and is identified by the Investigating Officer. She has also filed affidavit in support of the petition. She submits that she has settled her disputes with the petitioners and does not wish to press charges against the petitioners and prosecute the complaint any further.

7. In view of the fact that the proceedings emanate out of a matrimonial discord and parties have fully and finally settled their

disputes and respondent No.2 has stated that she does not wish to press the complaint any further and the fact that the parties have already been divorced by way of a decree of divorce, passed on 28.11.2014, 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.

8. In view of the above, the petition is allowed FIR No. 151 of 2012 under Sections 498A/406/34 IPC registered at Police Station Vijay Vihar, New Delhi and the consequent proceedings emanating there from are quashed.

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

FEBRUARY 14, 2019
'rs' **SANJEEV SACHDEVA, J**