

(2018) 08 DEL CK 0375

In the Delhi High Court

Case No : Criminal Miscellaneous Case No. 4284 Of 2018

Aftab & Ors

APPELLANT

Vs

State (Nct Of Delhi) & Anr

RESPONDENT

Date of Decision : 24-08-2018

Acts Referred:

Indian Penal Code, 1860 — Section 34, 406, 498A

Citation : (2018) 08 DEL CK 0375

Hon'ble Judges : SANJEEV SACHDEVA, J

Bench : Single Bench

Final Decision : Allowed

Judgement

SANJEEV SACHDEVA, J. (ORAL)

CrI.M.A.30627/2018 (Exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 4284/2018 & CrI. M.C. 30626/2018

1. Petitioners seek quashing of FIR No.818/2015 under Sections 498A/406/34 IPC registered at Police Station Neb Sarai, New Delhi, based on a

settlement.

2. The subject FIR emanates out of matrimonial discord. Petitioner no. 1 and respondent no. 2 are husband and wife.

3. Learned counsel for the petitioners submits that the parties have reconciled their disputes and are amicably residing together as husband and wife

since October, 2015.

4. The respondent No.2 is present in person and is identified by the Investigating Officer. She submits that she has amicably resolved the disputes with

her husband and they are now cohabiting together. She submits that she does not wish to press charges against the petitioners and has no objection to the quashing of the subject FIR.

5. In view of the fact that the proceedings emanate out of a matrimonial discord and the parties have fully and finally settled their disputes and have started living together and further the respondent No.2 has stated that she does not wish to press 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 petition is allowed. FIR No.818/2015 under Sections 498A/406/34 IPC registered at Police Station Neb Sarai, New Delhi and the consequent proceedings emanating there from are quashed.

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