

(2018) 10 DEL CK 0427

In the Delhi High Court

Case No : Criminal Miscellaneous Petition No. 4628 OF 2017 & Crl. M.A. 18432 OF 2017

Deepak Arora

APPELLANT

Vs

Sharda Arora

RESPONDENT

Date of Decision : 31-10-2018

Acts Referred:

Protection of Women From Domestic Violence Act, 2005 — Section 12, 18, 19, 20, 22, 23

Citation : (2018) 10 DEL CK 0427

Hon'ble Judges : Sanjeev Sachdeva, J

Bench : Single Bench

Advocate : Prema Priyadarshini, Rajinder Singh, Virinda Arora

Final Decision : Allowed

Judgement

SANJEEV SACHDEVA, J

1. The petitioner seeks quashing of Complaint Case No. 461/1/15 under Sections 12/18/19/20/22/23 of Protection of Women From Domestic Violence

Act, 2005, Police Station Vikas Puri.

2. Subject dispute emanates out of to a matrimonial discord between the parties. Petitioner is the husband and the Respondent is the wife.

3. Learned counsel for the parties submit that the parties attempted mediation for settlement, however, the mediation was not successful. Thereafter,

with the intervention of learned counsel for the parties, parties have arrived at an amicable settlement. Affidavits have been filed by both petitioner as

well as respondent, wherein they have stated that they have settled their disputes and have started residing together as husband & wife since

September, 2018.

4. Parties submit that they have reunited and are happy and there is no cause of concern for either of the parties. They submit that as they have settled the disputes, they are not interested in pursuing any litigation against each other.

5. Respondent No.2 is present in person and represented by her counsel. She submits that she has amicably resolved the disputes with her husband and they are now cohabiting together with their children. She submits that she does not wish to pursue her complaint against the petitioner and has no objection to the quashing of the subject complaint.

6. 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 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 complaint and the consequent proceedings emanating therefrom.

7. In view of the above, the petition is allowed. Complaint Case No. 461/1/15 under Sections 12/18/19/20/22/23 of Protection of Women From Domestic Violence Act, 2005, Police Station Vikas Puri and the consequent proceedings emanating there from are quashed.

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