
(2018) 08 DEL CK 0218

In the Delhi High Court

Case No : Criminal Miscellaneous Case No. 4117 OF 2018

Joginder Singh Bote & Ors

APPELLANT

Vs

Nct Of Delhi & Anr.

RESPONDENT

Date of Decision : 16-08-2018

Acts Referred:

Indian Penal Code, 1860 — Section 34, 377, 406, 498A

Citation : (2018) 08 DEL CK 0218

Hon'ble Judges : SANJEEV SACHDEVA, J

Bench : Single Bench

Final Decision : Allowed

Judgement

SANJEEV SACHDEVA, J. (ORAL)

Crl.M.A.30024/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 4117/2018

1. The petitioners seek quashing of FIR No. 150 of 2017 under Sections 498A/406/377/34 of the IPC registered at Police Station Crime (Women)

Cell, Nanakpura, New Delhi, based on a settlement. It is contended that the FIR was lodged consequent to a matrimonial discord.

2. Learned counsels for the parties submit that the parties have settled their disputes and a Settlement Deed dated 06.02.2018 been executed between

the parties. As per the settlement, a total sum of Rs. 10 lakhs has been agreed to be paid to respondent no. 2. A sum of Rs. 5,00,000/- has already

been paid. Further sum of Rs. 5,00,000/-has been paid to respondent no. 2 today in Court by way of DD No. 069119 dated 23.07.2018 issued by

Standard Chartered Bank. The parties have already been divorced by way of a

decree of divorce by mutual consent, passed on 24.04.2018.

3. Respondent no. 2 who is present in court in person, represented by her counsel and is identified by the Investigating Officer submits that she has settled the dispute with the petitioners and is agreeable to the settlement and does not wish to press the criminal charges against the petitioners any further.

4. In view of the fact that the disputes between the petitioners and respondent no. 2 emanate out of a matrimonial discord and have been settled, 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.

5. In view of the above, the petition is allowed. FIR No. 150 of 2017 under Sections 498A/406/377/34 of the IPC registered at Police Station Crime (Women) Cell, Nanakpura, New Delhi and the consequent proceedings emanating therefrom are accordingly quashed.

6. Order Dasti under signatures of the Court Master.