
(2018) 08 DEL CK 0324

In the Delhi High Court

Case No : Criminal Miscellaneous Petition No. 4224 Of 2018

Sandeep & Ors

APPELLANT

Vs

State (Govt Of Nct Delhi) & Anr

RESPONDENT

Date of Decision : 21-08-2018

Acts Referred:

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

Citation : (2018) 08 DEL CK 0324

Hon'ble Judges : SANJEEV SACHDEVA, J

Bench : Single Bench

Judgement

SANJEEV SACHDEVA, J. (ORAL)

CRL.M.A. 30399/2018

Exemption allowed, subject to all just exceptions.

The application stands disposed off.

CRL.M.C. 4224/2018

1. The petitioners seek quashing of FIR No. 103/2016 under Sections 498A/406/34 IPC, Police Station Jaffarpur Kalan.

2. The subject FIR emanates out of matrimonial discord. Petitioner No.1 is the husband of respondent No.2. Petitioner Nos.2 and 3 are the father-in-law and mother-in-law of the respondent No.2.Â

3. Learned counsel for the petitioners submits that the parties have settled their disputes and the terms of settlement were recorded before the Family

Court, Dwarka on 01.02.2017. The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 06.02.2017.

4. Respondent No.2 was to be paid a total sum of Rs.2,00,000/- in full and final settlement of all her claims. The same has already been paid.

5. The respondent No.2 is present in person, represented by counsel and is identified by the Investigating Officer. 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.

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 the 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 by mutual consent, passed on 06.02.2017, 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. In view of the above, FIR No.103/2016 under Sections 498A/406/34 IPC, Police Station Jaffarpur Kalan and the consequent proceedings emanating there from are quashed.

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