

(2018) 08 DEL CK 0008

In the Delhi High Court

Case No : Criminal .M.C. 2683 OF 2018

Satyaveer @ Sagar & Ors

APPELLANT

Vs

State (Nct Of Delhi) & Anr

RESPONDENT

Date of Decision : 01-08-2018

Acts Referred:

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

Citation : (2018) 08 DEL CK 0008

Hon'ble Judges : SANJEEV SACHDEVA, J

Bench : Single Bench

Final Decision : Allowed

Judgement

SANJEEV SACHDEVA, J

CrI. M.A. No. 9554/2018 (Exemption)

Allowed, subject to all just exceptions.Â

CRL.M.C. 2683/2018Â

1. The petitioners seek quashing of FIR No. 998 of 2015 under Sections 498A/406/34 of the IPC, Police Station Ghazipur, New Delhi, based on a

settlement. It is contended that the FIR was lodged consequent to a matrimonial discord.Â

2. It is prayed that exemption be granted to petitioner no. 2, father of petitioner no. 1 on the ground that he is aged about 67 years of age and is not

keeping well. He has filed his affidavit in support of the petition. In view of the above, petitioner no. 2 is granted exemption from personal

appearance.Â

3. Learned counsels for the parties submit that the parties have settled their disputes and have amicably dissolved their marriage by mutual consent

and decree of divorce dated 16.08.2017 has been passed. It is further submitted on behalf of the parties that parties had entered into the settlement

before the Delhi Mediation Centre, Karkardooma Courts, Delhi on 11.05.2016.Â As per the settlement, a total sum of Rs. 2 lakhs has been agreed to

be paid to respondent no. 2. A sum of Rs. 1,50,000/- has already been paid to respondent no. 2 and the balance sum of Rs. 50,000/- has been paid to

respondent no. 2 outside the court, today.Â

4. Respondent no. 2 is present in court in person, represented by her counsel and is identified by the Investigating Officer. She confirms that she has

received the entire amount of Rs. 2 lakhs. She 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.Â

5. 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.Â

6. In view of the above, the petition is allowed.Â FIR No. 998 of 2015 under Sections 498A/406/34 of the IPC, Police Station Ghazipur, New Delhi

and the consequent proceedings therefrom are, accordingly quashed.Â

Order Dasti under signatures of the Court Master.