

(2018) 08 DEL CK 0306

In the Delhi High Court

Case No : Criminal Miscellaneous Case No. 4194 OF 2018

Shri Vikram Rathor And Another

APPELLANT

Vs

State (N.C.T. Of Delhi) & Anr

RESPONDENT

Date of Decision : 20-08-2018

Acts Referred:

Indian Penal Code, 1860 — Section 34, 323, 324, 406, 406, 498A

Citation : (2018) 08 DEL CK 0306

Hon'ble Judges : SANJEEV SACHDEVA, J

Bench : Single Bench

Final Decision : Allowed

Judgement

SANJEEV SACHDEVA, J. (ORAL)

1. The petitioners seek quashing of FIR No. 683 of 2014 under Sections 498A/406/323/324/34 of the IPC registered at Police Station Mianwali Nagar, 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 by way of a settlement before the Family Courts West, Tis

Hazari, Delhi dated 07.08.2018 which has been executed between the parties. As per the settlement, a total sum of Rs. 30,000/-has been agreed to be

paid to respondent no. 2. The entire amount has already been paid. The parties have already been divorced by way of a decree of divorce by mutual

consent, passed on 07.08.2018.

3. Respondent no. 2 who is present in court in person 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.Â FIR No. 683 of 2014 under Sections 498A/406/323/324/34 of the IPC registered at Police Station

Mianwali Nagar, New Delhi and the consequent proceedings there from are, accordingly quashed.

6. Order Dasti under signatures of the Court Master.