
(2018) 10 DEL CK 0172

In the Delhi High Court

Case No : Criminal Miscellaneous CaseNo.5192 OF 2018

Tejbir Singh & Ors

APPELLANT

Vs

State & Anr

RESPONDENT

Date of Decision : 10-10-2018

Acts Referred:

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

Citation : (2018) 10 DEL CK 0172

Hon'ble Judges : Sanjeev Sachdeva, J

Bench : Single Bench

Final Decision : Allowed

Judgement

SANJEEV SACHDEVA, J

Crl.M.A.33980/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 5192/2018

1. Petitioners seek quashing of FIR No.804/2015 under Sections 498A/406/34 IPC, Police Station Ranhola.

2. Subject FIR emanates out of matrimonial discord. Petitioner No.1 is the husband of respondent No.2. Petitioner No.2 is the mother-in-law of the

respondent No.2. Petitioner Nos.3 and 4 are the brother-in-law of the respondent No.2. Petitioner No.5 is the sister-in-law of the respondent No.2.

3. Learned counsel for the petitioners submits that parties have settled their disputes and a Settlement Deed dated 21.01.2017 has been executed

between the parties. Parties have already been divorced by way of a decree of divorce by mutual consent, passed on 14.11.2017.

4. As per the settlement, custody of the minor child is to remain with the

respondent No.2. Petitioners, who are present in Court in person, undertake that they shall not claim any rights contrary to the settlement terms. The undertaking is accepted.

5. Respondent No.2 is present in person 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 14.11.2017, 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, the petition is allowed. FIR No.804/2015 under Sections 498A/406/34 IPC, Police Station Ranhola and the consequent

proceedings emanating there from are quashed.

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