

Parveen Kumar vs.the State of Nct of Delhi & Ors.

Parveen Kumar vs.the State of Nct of Delhi & Ors.

SooperKanoon Citation : sooperkanoon.com/1216640

Court : Delhi

Decided On : Aug-01-2018

Appellant : Parveen Kumar

Respondent : The State of Nct of Delhi & Ors.

Judgement :

\$~65 & 70 * IN THE HIGH COURT OF DELHI AT NEW DELHI % + CRL.M.C.
3825/2018 Judgment delivered on:

01. 08.2018 versus PARVEEN KUMAR & ANR STATE OF NCT OF DELHI & ORS
+ CRL.M.C. 3828/2018 PARVEEN KUMAR THE STATE OF NCT OF DELHI &
ORS versus Advocates who appeared in this case:

... Petitioner

S

... RESPONDENTS

.....

... Petitioner

.....

... RESPONDENTS

For the

... Petitioner

: For the

... RESPONDENTS

: Mr. Arun Sheoran and Mr. Anil Tomar, Advs. Ms. Neelam Sharma, Addl. PP for the State with SI Ashwani, PS Jyoti Nagar (Crl. M.C.3825/2018) Mr. Kamal Kr. Ghai, Addl. PP for the State with SI Ashwani, PS Jyoti Nagar (Crl. M.C.3828/2018) Mr. Sushil Kumar, Adv. for R-2 CORAM:-

"HONBLE MR JUSTICE SANJEEV SACHDEVA JUDGMENT0108.2018 CRL.M.C. 3825/2018 & 3828/2018 Page 1 of 3 SANJEEV SACHDEVA, J.

(ORAL) Crl. M.A. 29058/2018 (Exemption) in Crl. M.C.3828/2018 & Crl. M.A. 29050/2018 (Exemption) in Crl. M.C.3825/2018) Allowed, subject to all just exceptions. CRL.M.C. 3825/2018 & CRL.M.C. 3828/2018 1. The petitioners, in Crl.M.C.3825/2018, seek quashing of FIR No.302 of 2012 under Sections 498A/4 of the IPC and Section 4 of Dowry Prohibition Act, Police Station Jyoti Nagar, New Delhi and the petitioner, in Crl. M.C.3828/2018, seeks quashing of FIR No.235 of 2012 under Sections 354/3

IPC, Police Station Jyoti Nagar, based on a settlement arrived at before the Delhi Mediation Centre, Karkardooma Courts, Delhi on 05.11.2014.

2. It is contended that the FIRs were lodged consequent to a matrimonial discord. It is submitted that respondent No.2 and the brother of petitioner No.1 were husband and wife and have already taken divorced by mutual consent. The FIR qua the other family members have already been quashed by order dated 22.01.2016 of this court.

3. Respondent No.2 who is present in court in person represented by counsel and is identified by the Investigating Officer. She confirms that she has settled the matter with the petitioners and does not wish to press the criminal charges against the petitioners any further. CRL.M.C. 3825/2018 & 3828/2018 Page 2 of 3 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 FIRs and the consequent proceedings emanating therefrom.

5. In view of the above, both the petitions are allowed. FIR No.302 of 2012 under Sections 498A/4

of the IPC and Section 4 of Dowry Prohibition Act, Police Station Jyoti Nagar and FIR No.235 of 2012 under Sections 354/3

IPC, Police Station Jyoti Nagar and the consequent proceedings emanating therefrom are, accordingly quashed.

6. Order Dasti under signatures of the Court Master. AUGUST01 2018 ns SANJEEV SACHDEVA, J CRL.M.C. 3825/2018 & 3828/2018 Page 3 of 3

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com