

Sandeep & Ors. Vs.state (Govt. Of Nct Delhi) & Anr.

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Court : Delhi

Decided On : Aug-21-2018

Appellant : Sandeep & Ors.

Respondent : State (Govt. Of Nct Delhi) & Anr.

Judgement :

\$~64 * + IN THE HIGH COURT OF DELHI AT NEW DELHI CRL.M.C. 4224/2018
SANDEEP & ORS STATE (GOVT OF NCT DELHI) & ANR versus

... Petitioner

S

... RESPONDENTS

Advocates who appeared in this case: For the

... Petitioner

For the Respondent: : Mr. Tushar Sinha & Mr. Amit Kumar, Advocates Mr. Kamal Kumar Ghai, APP with SI Leela Ram, PS Jaffarpur Kalan. CORAM: HON'BLE MR. JUSTICE SANJEEV SACHDEVA JUDGMENT2108.2018 % 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/4 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. CRL.M.C. 4224/2018 Page 1 of 3 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. CRL.M.C. 4224/2018 Page 2 of 3 7. In view of the above, FIR No.103/2016 under Sections 498A/4 IPC, Police Station Jaffarpur Kalan and the consequent proceedings emanating there from are quashed.

8. Order Dasti under the signatures of the Court Master. AUGUST21 2018 rd
SANJEEV SACHDEVA, J.

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