

Parveen Kumar & Ors vs State & Ors on 21 March, 2018

Author: Sanjeev Sachdeva

Bench: Sanjeev Sachdeva

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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ CRL.M.C. 5271/2017
PARVEEN KUMAR & ORS. Petitioners

Through Ms. Shalini Sharma, Advocate.

versus

STATE & ORS. Respondents

Through Mr. Arun Kumar Sharma, APP for the State.

Mr. Tabrez Ahmad, Advocate for R-2 with R-2 in person.

SI Surekha, PS Malviya Nagar.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% 21.03.2018 Crl.M.A.20705/2017 (exemption) Exemption is allowed subject to all just exceptions.

1. The petitioners seek quashing of FIR No.1764/2014 under Sections 498-A/406/34 IPC, Police Station Malviya Nagar.

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 parents of the petitioner No.1. Petitioner Nos.4 to 8 are the relations of the petitioner No.1.

3. Learned counsel for the petitioners submits that the parties have CRL.M.C. 5271/2017 Page 1 settled their disputes and have executed a Settlement Deed dated 27.10.2017. The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 20.03.2018.

4. The respondent No.2 was to be paid a total sum of Rs.7,00,000/- in full and final settlement of all her claims. A sum of Rs.3,00,000/- has already been paid. The balance sum of Rs.4,00,000/- has been paid to the respondent No.2 by way of Demand Draft No.418171 dated 20.03.2018 drawn on Kotak Mahindra Bank for Rs.2,00,000/- and Demand Draft No. 254830 dated 20.03.2018 drawn on State Bank of India for Rs.2,00,000/-.

5. The 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 20.03.2018, 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 CRL.M.C. 5271/2017 Page 2 emanating therefrom.

7. In view of the above, FIR No.1764/2014 under Sections 498- A/406/34 IPC, Police Station Malviya Nagar and the consequent proceedings emanating there from are quashed.

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

SANJEEV SACHDEVA, J

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