

Saurabh Singh & Ors vs The State Govt Of Nct Of Delhi & Anr 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. 1444/2018
SAURABH SINGH & ORS Petitioners
Through Mr. Raghvendra Pandey, Advocate.

versus

THE STATE GOVT OF NCT OF DELHI & ANR Respondents
Through Mr. Akshai Malik, APP for the State..
SI Shri Gopal, PS Shakar Pur.

CORAM:
HON'BLE MR. JUSTICE SANJEEV SACHDEVA
ORDER

% 21.03.2018

1. The petitioners seek quashing of FIR No.2273/2015 under Sections 498-A/406/34 IPC, Police Station Shakarpur.
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 No.4 is the brother of the petitioner No.1. Petitioner No.5 is the sister of the petitioner No.1. Petitioner No.6 is the husband of the petitioner No.5. Petitioner No.7 is the sister of the petitioner No.1. Petitioner No.8 is the husband of the petitioner No.7.
3. Learned counsel for the petitioners submits that the parties have entered into a settlement agreement dated 24.03.2017 through the process of mediation, held at Delhi High Court Mediation & Conciliation Centre, Delhi High Court, New Delhi. The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 07.12.2017.
4. 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 CRL.M.C. 1444/2018 Page 1 petitioners and does not wish to press charges against the petitioners and prosecute the complaint any further. She however submits that she has forgone all her other claims of alimony etc, with a view to put an end to litigation.
5. 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 07.12.2017, 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.

6. In view of the above, FIR No.2273/2015 under Sections 498- A/406/34 IPC, Police Station Shakarpur and the consequent proceedings emanating there from are quashed, subject to the payment of cost of Rs.10,000/- to be paid by each petitioners, to the respondent No.2, within a period of two weeks from today. Receipt of payment of the costs imposed by this order be furnished to the concerned Investigating Officer within a period of three weeks from today.

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

MARCH 21, 2018/st

SANJEEV SACHDEVA, J

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