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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.M.C. 55/2018 & Crl. M.A. 191/2018**

RAJKUMAR & ORS.

..... Petitioners

Through: Mr. Akhil Sharma, Adv.

versus

GOVT. OF NCT OF DELHI & ORS.

..... Respondents

Through: Mr. Mukesh Kumar, Addl. PP for the
State with SI Ashish Kumar and
respondent no. 3 (Smt. Jyoti) in
person.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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05.01.2018

Crl. M.A. No. 192/2018 & 193/2018 (Exemptions)

Allowed, subject to all just exceptions.

CRL.M.C. 55/2018

1. Petitioners by this petition seeks quashing of FIR No. 948 of 2014 under Sections 498A/406/34 of the IPC, P.S. Bhajanpura, Delhi lodged by respondent no. 3 – Smt. Jyoti.

2. It is contended that the FIR was lodged consequent to a matrimonial discord. Subsequent to the lodging of FIR, a settlement has taken place between the petitioner no. 1 and respondent no. 3. Petitioner no. 2 and 3 are parents of the petitioner no. 1. Petitioner no. 4 is the sister of petitioner no. 1. As per the settlement deed, the

petitioner agreed to pay a sum of Rs. 4,50,000/- to respondent no. 3. A sum of Rs. 2,50,000/- has also been paid in two instalments at the time of recording of First and Second Motion respectively. The marriage between the parties has since been dissolved by a decree of divorce by mutual consent on 16.10.2017.

3. Respondent no. 3 is present in court in person and is identified by the Investigating Officer. She submits that she is agreeable to the settlement and does not wish to press the present complaint against the petitioners any further. However, she submits that she has spent some amounts on litigation and be awarded some litigation costs.

4. A sum of Rs. 2 lakhs have been handed over to the respondent no. 3 by way of Demand Draft bearing no. 271025 dated 18.12.2017 in favour of Smt. Jyoti drawn on Canara Bank. The petitioner further undertakes to give, within a period of one week, an additional amount of Rs. 25,000/- to respondent no. 3 towards the expenditure incurred by her.

5. In view of the fact that the disputes between the petitioner and respondent no. 3 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 FIR No. 948 of 2014 under Sections 498A/406/34 of the IPC, P.S. Bhajanpura, Delhi and the consequent proceedings emanating therefrom.

6. In view of the above, the petition is allowed. The FIR No. 948 of 2014 under Sections 498A/406/34 of the IPC, P.S. Bhajanpura, Delhi and the consequent proceedings therefrom are, accordingly quashed.

7. The petitioner is directed to pay a sum of Rs. 25,000/- to respondent no. 3 within one week from today. The receipt of the payment of Rs. 25,000/- be furnished to the Investigating Officer.

8. Order Dasti under signatures of the Court Master.

SANJEEV SACHDEVA, J

JANUARY 05, 2018

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