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

+ **W.P.(CRL.) 176/2018**

ABHISHEK SHARMA & ORS. Petitioners

Through : Mr Mohit Auluck, Advocate with
Petitioners.

versus

STATE GOVT. OF NCT OF DELHI Respondent

Through : Mr Piyush Singhal for Mr Ashish
Aggarwal, ASC for the State.
Ms Rashmi Sharma, Advocate for
R-2.
ASI Surinder Dutt, PS Hari Nagar.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **19.01.2018**

Crl. M.A. 1028/2018(exemption)

Allowed, subject to all just exceptions.

W.P.(CRL.) 176/2018 & Crl.M.A.1027/2018(stay)

1. By this petition, the petitioner seeks quashing of FIR No.234/2017 under Sections 406/498A/34 IPC, Police Station Hari Nagar.
2. The subject FIR emanates out of the matrimonial discord. Petitioner No.1 was the husband of respondent No.2. Petitioner Nos.2 & 3 are the parents of petitioner No.1.
3. Parties have settled their dispute. The Memorandum of Settlement dated 29.09.2017 has been executed between the parties.
4. Respondent No.2 is present in Court in person, is represented by

counsel and identified by the Investigating Officer. She confirms that the settlement has taken place and further that the marriage between the parties has been dissolved by way of mutual consent on 09.10.2017. A total sum of Rs.45 lakhs was to be paid to respondent No.2. A sum of Rs.25 lakhs has already been paid and balance amount of Rs.20 lakhs has been paid by way of Bankers' Cheque bearing No.880205 dated 17.01.2018 issued by the Bank of India, which is accepted in the Court today.

5. In view of the above and keeping in view of the fact that the FIR emanates from matrimonial discord and the parties have resolved their dispute through a Memorandum of Settlement dated 29.09.2017 and respondent No. 2 does not wish to press her complaint, 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. Accordingly, FIR No.234/2017 under Sections 406/498A/34 IPC, Police Station Hari Nagar and the consequent proceedings emanating therefrom are hereby quashed.

7. Order Dasti under signatures of Court Master.

SANJEEV SACHDEVA, J

JANUARY 19, 2018/“§p’