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

+ **CRL.M.C. 911/2018**

YOGESH KUMAR & ORS

..... Petitioner

Through: Mr. Ashish Garg and Ms. Kavita
Rawat, Advs.

versus

STATE (GOVT OF NCT OF DELHI) & ANR Respondent

Through: Mr. Mukesh Kumar, Addl. PP for the
State with W/ASI Neeraj

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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19.03.2018

Crl. M.A. No. 3381/2018 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 911/2018

1. The petitioner seeks quashing of FIR No. 498 of 2015 under Sections 498A/406/34 of the IPC Police Station Dabri, Delhi. It is contended that the FIR was lodged consequent to a matrimonial discord.

2. Learned counsels for the parties submit that the parties have settled their disputes and have amicably dissolved their marriage by mutual consent and decree of divorce dated 08.11.2017 has been passed. A total sum of Rs. 3.50 lakhs had been agreed to be paid to respondent no. 2. A sum of Rs. 2.50 lakhs has already been paid and the balance sum of Rs. 1,00,000/- has been paid to respondent no. 2 by way of Demand Draft No.

327677 dated 08.01.2018 issued by Vijaya Bank today in Court.

3. Respondent no. 2 is present in court in person and is identified by the Investigating Officer. She submits that she has settled the dispute with the petitioners and is agreeable to the settlement and does not wish to press the criminal charges against the petitioners any further. It is further submitted on behalf of the parties that parties had entered into the settlement/compromise dated 27.01.2017 before the Counselling Cell, Family Courts, Dwarka, Delhi.

4. In view of the fact that the disputes between the petitioners and respondent no. 2 emanate out of a matrimonial discord and 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 subject FIR and the consequent proceedings emanating therefrom.

5. In view of the above, the petition is allowed. FIR No. 498 of 2015 under Sections 498A/406/34 of the IPC Police Station Dabri, Delhi and the consequent proceedings therefrom are, accordingly quashed.

6. Order Dasti under signatures of the Court Master.

SANJEEV SACHDEVA, J

MARCH 19, 2018

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