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

+ **CRL.M.C. 385/2018**

DEEPESH & ORS

..... Petitioners

Through : Mr Ashish Upadhyay, Advocate.

versus

STATE & ANR

..... Respondents

Through : Mr Arun Kumar Sharma, Addl. PP
for the State.

Mr Amit Sharma, Advocate for R-2.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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24.01.2018

Crl. M.A. 1477/2018(exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 385/2018

1. By this petition, the petitioner seeks quashing of FIR No.16/2014 under Sections 498A/406/34 IPC, Police Station Crime (Women) Cell, Nanakpura.
2. The subject FIR emanates out of 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 27.04.2017 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 18.12.2017. A total sum of Rs.6 lakhs was to be paid to respondent No.2. A sum of Rs.4,50,000/- has already been paid and balance amount of Rs.1.50 lakhs has been paid by way of Bankers' Cheque bearing No.000769 dated 03.01.2018 issued by the HDFC Bank, 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 27.04.2017 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.16/2014 under Sections 498A/406/34 IPC, Police Station Crime (Women) Cell, Nanakpura and the consequent proceedings emanating therefrom are hereby quashed.

7. Order Dasti under signatures of Court Master.

SANJEEV SACHDEVA, J

JANUARY 24, 2018

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