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

+ **CRL.M.C. 423/2018**

MANU DEV SHARMA

..... Petitioner

Through: Ms. Sandhya Gupta, Adv.

versus

NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Arun Kr. Sharma, Addl. PP for
the State with SI Ashwani Kumar
Respondent no. 2 in person.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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29.01.2018

Crl. M.A. 1626/2018 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 423/2018

1. The petitioner seeks quashing of FIR No. 355 of 2016 under Sections 498A/406/34 of the IPC Police Station Jyoti Nagar, Delhi. It is contended that the FIR was lodged consequent to a matrimonial discord.

2. Petitioner No. 1 and Respondent No. 2 are husband-wife. Respondent No. 2 & 3 are relations of Petitioner No. 1. Learned counsels for the parties submit that the parties have settled their disputes before the Counselling Cell, Family Courts, Karkardooma Courts, Shahdara, Delhi vide settlement deed dated 27.11.2017.

3. Respondent no. 2 is present in court in person and is identified by the Investigating Officer. She submits that she has started residing together with petitioner no. 1 happily as husband-wife and is agreeable to the settlement and as such does not wish to press the criminal charges against the petitioner any further.

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 and petitioner No. 1 and respondent No. 2 are cohabiting together as husband and wife, 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. 355 of 2016 under Sections 498A/406/34 of the IPC Police Station Jyoti Nagar, Delhi and the consequent proceedings therefrom are, accordingly quashed.

6. Order Dasti under signatures of the Court Master.

SANJEEV SACHDEVA, J

JANUARY 29, 2018

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