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

+ **CRL.M.C. 640/2018**

ASHOK SACHDEVA

..... Petitioner

Through Mr. Pratyaksh Kumar, Advocate.

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Through Mr. Akshai Malik, APP for State.

SI Satyawan, PS Uttam Nagar.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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07.02.2018

Crl.M.A. 2311/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 640/2018

1. The petitioner seeks quashing of FIR No.663/2007 under Sections 498A/406/34 IPC, Police Station Uttam Nagar.

2. The subject FIR was registered not only against the petitioner but also against one Suresh Kumar Sachdeva, Vijay Kumar and Santosh Sachdeva. Suresh Kumar Sachdeva has since expired. Santosh Sachdeva has not been charged and Ashok Sachdeva has been charged only under Section 406 IPC. The co-accused Vijay Kumar has been declared a proclaimed offender. The petitioner, who appears in person, submits that he has no knowledge about the

whereabouts of Vijay Kumar and there is no contact between the family and Vijay Kumar.

3. The subject FIR emanates out of matrimonial discord. Petitioner was the husband of respondent No.2.

4. Learned counsel for the petitioner submits that the parties have settled their disputes through the settlement dated 21.02.2013 arrived at in Court. The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 31.05.2015.

5. The respondent No.2 was to be paid a total sum of Rs.2,00,000/- in full and final settlement of all her claims. A sum of Rs.1,80,000/- has already been paid. The balance sum of Rs.20,000/- has been paid to the respondent No.2 in cash in Court today.

6. The respondent No.2 is present in person and is identified by the Investigating Officer. She submits that she has settled her disputes with the petitioner and does not wish to press charges against the petitioner and prosecute the complaint any further.

7. In view of the fact that the proceedings emanate out of a matrimonial discord and the parties have fully and finally settled their disputes and the respondent No.2 has stated that she does not wish to press the complaint any further and the fact that the parties have already been divorced by way of a decree of divorce by mutual consent, passed on 31.05.2015, and in the interest of justice, it would be expedient to quash the subject FIR and the consequent proceedings

emanating there from qua the petitioner.

8. In view of the above, FIR No.663/2007 under Sections 498A/406/34 IPC, Police Station Uttam Nagar and the consequent proceedings emanating there from are quashed, qua the petitioner.

9. It is clarified that this order shall not enure to the benefit of the accused Vijay Kumar who has already been declared as a proclaimed offender.

10. Order *Dasti* under the signatures of the Court Master.

SANJEEV SACHDEVA, J

FEBRUARY 07, 2018
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