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

+ **CRL.M.C. 638/2018**

HARSH MEHTA & ORS

..... Petitioners

Through : Ms Reena Bajaj, Advocate for P-1 to P-6.

versus

STATE & ORS

..... Respondent

Through : Mr Arun Kumar Sharma, Addl. PP for the State.
W/SI Madhvi Bisht.
Mr Himal Akhtar, Molvi Aijaz Hussain, Advocates for R-2 to 5.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **06.02.2018**

Crl. M.A. 2304/2018(exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 638/2018

1. By this petition, the petitioner seeks quashing of FIR No.732/2015 under Sections 323/341/506/354-B/34 IPC, Police Station Madhu Vihar.

2. The subject FIR emanates out of the matrimonial discord. Petitioner No.1 is the husband of respondent No.2. Petitioner Nos.2 to 6 are relations of petitioner No.1.

3. Parties have settled their dispute. Two Memoranda of Understanding dated 15.05.2017 have 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 all the disputes between the parties have been settled.

5. Parties have agreed to dissolve their marriage by mutual consent. First Motion has already been allowed and the parties are jointly applying for divorce by moving the Second Motion.

6. Parties state that there is a cross-FIR bearing No.134/2016 under Sections 354/323/506 IPC, Police Station Subzi Mandi, quashing of which FIR is listed today.

7. 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 Two Memoranda of Understanding dated 15.05.2017 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.

8. Accordingly, 732/2015 under Sections 323/341/506/354-B/34

IPC, Police Station Madhu Vihar and the consequent proceedings emanating therefrom are hereby quashed.

9. Order Dasti under signatures of Court Master.

SANJEEV SACHDEVA, J

FEBRUARY 06, 2018

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