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

+ CRL.M.C. 681/2018

YOGESH KUMAR & ORS

..... Petitioners

Through: Mr. Pradeep Chaudhary, Adv.

versus

THE STATE & ANR

..... Respondents

Through: Mr. Mukesh Kumar, Addl. PP for the
State with ASI Devender Kumar
Mr. Rajnish Kaushik, Adv. for R-2

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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08.02.2018

1. The petitioners seek quashing of FIR No. 862 of 2015 under Sections 498A/406 of the IPC Police Station Uttam Nagar, New 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 08.07.2016 has been passed. The settlement amount of Rs. 1,00,000/- has already been paid to respondent no. 2.

3. Respondent no. 2 is present in court in person, represented by her counsel 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 before the Delhi Mediation Centre, Tis Hazari Courts, Delhi on 28.11.2015.

4. In view of the fact that the disputes between the petitioner 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. 862 of 2015 under Sections 498A/406 of the IPC Police Station Uttam Nagar, New Delhi and the consequent proceedings therefrom are, accordingly quashed.

6. Order Dasti under signatures of the Court Master.

SANJEEV SACHDEVA, J

FEBRUARY 08, 2018

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