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

+ **CRL.M.C.824/2018**

HIMANSHU DAWAR & ORS

..... Petitioners

Through : Mr Harmeet Singh, Advocate.

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Through : Mr Mukesh Kumar, Addl. PP
for the State.

SI Nitesh Nehra, PS Patel
Nagar.

Mr Vinashi Singh, Advocate
for R-2.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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19.02.2018

1. By this petition, petitioners seek quashing of FIR No.551 /2014, under Sections 498A/406/34 IPC, Police Station Patel Nagar.

2. The subject FIR emanates out of matrimonial discord. Petitioner No.1 is the husband of respondent No.2. Petitioner Nos.2 & 3 are the parents of petitioner No.1.

3. Parties have settled their dispute. The Settlement Deed dated 07.09.2017 has been executed between the parties through the Tis Hazari Mediation Centre, Delhi.

4. By way of settlement, a total sum of Rs.42,00,000/- was agreed to be paid to respondent No.2 towards full and final settlement of all her claims. A sum of Rs.28 lakhs has already been paid and balance amount of Rs.14,00,000/- has been paid by way of four Manager Cheques' bearing Nos.024553, 024554 & 024552, 024555 amounting to Rs.4,20,000/-, Rs.2,00,000/- 5,80,000/- & Rs.2,00,000/- respectively dated 03.02.2018 issued by the HDFC Bank, DLH East Patel Nagar, New Delhi, in Court today.

5. Respondent No.2 is present in Court in person, is 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 18.01.2018. She also submits that she does not wish to press her complaint any further.

6. 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 the Settlement Deed dated 07.09.2017, which has been executed between the parties through the Tis Hazari Mediation Centre, Delhi, 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.

7. Accordingly, FIR No.551/2014, under Sections 498A/406/34 IPC, Police Station Patel Nagar and the consequent proceedings emanating therefrom are hereby quashed.

8. Order Dasti under signatures of Court Master.

SANJEEV SACHDEVA, J

FEBRUARY 19, 2018

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