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

+ **CRL.M.C. 891/2018**

NITIN KUMAR & ORS

..... Petitioners

Through : Mr Chandarkant Tyagi, Advocate.

versus

STATE (GOVT NCT OF DELHI) & ANR Respondents

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

ASI Aman Kumar, PS Police Station
Crime Against Women

Cell/Nanakpura.

Mr Abraham, Advocate for R-2.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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04.04.2018

1. Petitioner seeks quashing of FIR No.93/2014, under Sections 498A/406/34 IPC, Police Station Crime (Women) Cell (Nanakpura), based on a Settlement.

2. The subject FIR emanates out of a matrimonial discord. Petitioner No.1 is the husband of respondent No.2. Petitioner Nos.2 & 3 are the parents of petitioner No.1. Petitioner Nos. 4 to 6 are the relations of petitioner No.1.

3. Parties have settled their dispute. The Terms of Settlement have been recorded in order dated 21.01.2015 in Bail Application No.CF-3607/2014.

4. As per the Settlement, a total sum of Rs. 2,55,000/- was agreed to be paid to respondent No.2 towards full and final settlement of all her claims. The entire amount already stands paid to respondent No.2.

5. Respondent No.2 is present in Court in person, is represented by counsel and identified by the Investigating Officer. She confirms that the settlement has taken place and further submits that the marriage between the parties has been dissolved by way of mutual consent in January, 2017. She also submits that she does not wish to press her complaint any further.

6. Affidavit of respondent No.2 along with her ID proof has been filed along with vakalatnama of her counsel. The same are taken on record.

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 and the Terms of Settlement are recorded in order dated 21.01.2015 in Bail Application No.CF-3607/2014 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, FIR No.93/2014, under Sections 498A/406/34

IPC, Police Station Crime (Women) Cell (Nanakpura), and the consequent proceedings emanating therefrom are hereby quashed.

9. Order Dasti under signatures of Court Master.

SANJEEV SACHDEVA, J

APRIL 04, 2018

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