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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 880/2018**

RAHUL KAUSHAL

..... Petitioner

Through

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Through : Mr Mukesh Kumar, APP.
SI Sangita, PS Preet Vihar.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **21.02.2018**

Crl.M.A.3283/2018(exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 880/2018

1. By this petition, petitioner seeks quashing of FIR No.457/2016, under Sections 498A/406/34 IPC, Police Station Preet Vihar.

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

3. Learned counsel for the petitioner submits that consequent to the registration of the FIR, two look-out Circulars were issued by the

Investigating Officer.

4. Parties have settled their dispute. The Terms of Settlement are recorded in the order dated 26.07.2017 in CrI.M.C.No.683/2017 titled *Smt Nidhi Verma versus State & Another*.

5. By way of settlement, a total sum of Rs.39,00,000/- was agreed to be paid to respondent No.2 towards full and final settlement of all her claims. The entire amount has already been paid, which has been acknowledged by respondent No.2, who is present in person in Court today.

6. 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 the marriage between the parties has been dissolved by way of mutual consent on 13.02.2018. She also submits that she does not wish to press her complaint any further.

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 the order dated 26.07.2017 in CrI.M.C.No.683/2017 titled *Smt Nidhi Verma versus State & Another* and further 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.457/2016, under Sections 498A/406/34 IPC, Police Station Preet Vihar and the consequent proceedings emanating therefrom are hereby quashed. The two look-out Circulars issued, consequent to the registration of the subject FIR and the consequent proceedings arising therefrom are also quashed.

9. The concerned Police Authorities shall appropriately intimate the concerned Authorities about the closure of the look-out Circulars. Intimation be issued within one week from today.

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

SANJEEV SACHDEVA, J

FEBRUARY 21, 2018

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