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

+ **CRL.M.C. 1392/2018**

MOHAN SINGH YADAV

..... Petitioners

Through: Mr. J.S. Kanwar, Adv.

versus

THE STATE & ANR

..... Respondents

Through: Mr. Akshai Malik, Addl. PP for the
State with SI Ranbir Singh
Mr. Sandeep Jain, Adv. for R-2

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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19.03.2018

Crl. M.A. No. 5055/2018 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 1392/2018

1. The petitioners seek quashing of FIR No. 680 of 2014 under Sections 498A/406/34 of the IPC Police Station New Ashok Nagar, Delhi based on a settlement. 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 07.02.2018 has been passed. A total sum of Rs. 22 lakhs has been agreed to be paid to respondent no. 2. A sum of Rs. 16.50 lakhs has already been paid and the balance sum of Rs. 5.50

lakhs has been paid to respondent no. 2 by way of Demand Draft No. 216916 dated 26.02.2018 issued by Corporation Bank today in the Court.

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 petitioner and is agreeable to the settlement and does not wish to press the criminal charges against the petitioner any further. It is submitted on behalf of the parties that parties had entered into the settlement on 02.11.2017 before the Delhi Mediation Centre, Karkardooma Courts, Delhi.

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. 680 of 2014 under Sections 498A/406/34 of the IPC Police Station New Ashok Nagar, Delhi and the consequent proceedings therefrom are, accordingly quashed.

6. Order Dasti under signatures of the Court Master.

SANJEEV SACHDEVA, J

MARCH 19, 2018

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