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

+ **CRL.M.C. 1384/2018**

MOHIT KUMAR & ORS

..... Petitioners

Through: Mr. Ram Nath Singh Kushwaha, Adv.

versus

GOVT OF NCT DELHI & ANR

..... Respondents

Through: Mr. Arun Kr. Sharma, Addl. PP for
the State

Ms. Sangeeta Rani Sharma, Adv. for
R-2

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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19.03.2018

Crl. M.A. No. 5042/2018 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 1384/2018

1. The petitioners seek quashing of FIR No. 379 of 2015 under Sections 498A/406/34 of the IPC Police Station Anand Prabat, 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 06.10.2017 has been passed. A total sum of Rs. 3,25,000/- has been agreed to be paid to respondent no. 2. A sum of Rs. 2,25,000/- has already been paid and the balance sum of Rs.

1,00,000/- has been paid to respondent no. 2 by way of Demand Draft No. 746261 dated 13.03.2018 issued by Bank of Maharashtra today in the Court.

3. Respondent no. 2 is present in court in person, represented by her counsel and she 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 submitted on behalf of the parties that parties had entered into the settlement on 07.11.2016 before the Delhi Mediation Centre, Tis Hazari 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. 379 of 2015 under Sections 498A/406/34 of the IPC Police Station Anand Prabat, 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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