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

+ **CRL.M.C. 1522/2018**

MUKESH CHAND JAIN & ORS

..... Petitioners

Through : Mr Padam K.Khanna, Advocate.
versus

THE STATE (NCT OF DELHI) & ANR

..... Respondents

Through : Mr Akshai Malik, APP.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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23.03.2018

1. By this petition, petitioners seek quashing of FIR No.838/2015, under Sections 323/342/354/506/34 IPC, Police Station Krishna Nagar, Delhi, based on a Settlement.

2. The subject FIR emanates out of a matrimonial discord. Petitioner No.3 is the husband of respondent No.2. Petitioner Nos.1 & 2 are the parents of petitioner No.3. Petitioner Nos.4 & 5 are the brothers of petitioner No.3.

3. Parties have settled their disputes and Settlement Agreement dated 17.09.2016 has been executed between the parties.

4. By way of settlement, a total sum of Rs.3,00,000/- was agreed to be paid to respondent No.2 towards full and final settlement of all her claims. A sum of Rs.2 lakhs has already been paid and balance amount of Rs.1,00,000/- has been paid in cash, which is accepted in

the 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 by a decree of divorce on 27.05.2017. 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 a Settlement Agreement dated 17.09.2016, 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.838/2015, under Sections 323/342/354/506/34 IPC, Police Station Krishna Nagar, Delhi, and the consequent proceedings emanating therefrom are hereby quashed.

8. Order Dasti under signatures of Court Master.

MARCH 23, 2018/१०'

SANJEEV SACHDEVA, J