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

+ **CRL.M.C. 1795/2018**

SUMIT KIRAN & ORS

..... Petitioner

Through : Mr Siddharth Sangal, Mr Gaurav
Gupta, Advocates with Mr Sumit
Kiran in person.

versus

GOVT OF NCT OF DELHI & ANR

..... Respondent

Through : Ms Anita Abraham, Addl. PP for the
State.
ASI Mool Chand, PS Madhu Vihar.
Mr O.P.Saxena, Advocate for R-2.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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11.04.2018

Crl.M.A.6424/2018(exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 1795/2018

1. Petitioners seek quashing of FIR No.1324 /2015, under Sections 498A/406/34 IPC, Police Station Madhu Vihar, 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 No.2 & is the mother of petitioner No.1. Petitioner Nos.3 & 4 are the relations of petitioner No.1.

3. Parties have settled their dispute. Terms of Settlement have been recorded in the order dated 02.05.2017 passed by the Family Court, Karkardooma Courts, Shahdara, Delhi.

4. By way of settlement, a total sum of Rs.10,00,000/- was agreed to be paid to respondent No.2 towards full and final settlement of all her claims. A sum of Rs.5 lakhs has already been paid and balance amount of Rs.5,00,000/- has been paid by way of Manager's Cheque bearing No.008799 dated 20.03.2018 issued by the HDFC Bank, Bengali Market, New Delhi, in court today.

5. Respondent No.2 is present in Court in person, represented by counsel and is 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 decree of divorce by mutual consent mutual consent on 23.12.2017. 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 and the Terms of Settlement have been recorded in the order dated 02.05.2017 passed by the Family Court, Karkardooma Courts, Shahdara, Delhi 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.1324 /2015, under Sections 498A/406/34 IPC, Police Station Madhu Vihar, and the consequent proceedings emanating therefrom are hereby quashed.

8. Order Dasti under signatures of Court Master.

SANJEEV SACHDEVA, J

APRIL 11, 2018

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