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

+ **CRL.M.C. 2089/2018**

NITESH KUMAR & ANR

..... Petitioners

Through: Mr. Mukesh Kumar and Mr. Krishan
Kumar, Advs.

versus

THE STATE GOVT OF NCT OF DELHI & ANR Respondents

Through: Mr. G.M. Farooqui, Addl. PP for the
State with ASI Subhash Sharma
Mr. Mukesh, Adv. for complainant

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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23.04.2018

Crl. M.A. No. 7414/2018 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 2089/2018

1. The petitioners seek quashing of FIR No. 487 of 2016 under Sections 498A/406/34 of the IPC Police Mangol Puri, 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 02.01.2018 has been passed. A total sum of Rs. One lakh has been agreed to be paid to respondent no. 2. A sum of Rs. 75,000/- has already been paid and the balance sum of Rs. 25,000/- has been paid to respondent no. 2 by way of Demand Draft No. 497859 dated 04.04.2018 issued by Syndicate

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 petitioners and is agreeable to the settlement and does not wish to press the criminal charges against the petitioners any further. It is further submitted on behalf of the parties that parties had entered into the settlement before Family Court, Rohini Courts, Delhi on 06.04.2017.

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 there from.

5. In view of the above, the petition is allowed. FIR No. 487 of 2016 under Sections 498A/406/34 of the IPC Police Mangol Puri, Delhi and the consequent proceedings there from are, accordingly quashed.

6. Order Dasti under signatures of the Court Master.

SANJEEV SACHDEVA, J

APRIL 23, 2018/'rs'