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

+ **CRL.M.C. 1793/2018**

PAWAN KUMAR & ANR

..... Petitioner

Through : Mr Veer Singh, Advocate.

versus

STATE (NCT OF DELHI) & ANR

..... Respondent

Through : Mr Arun Kumar Sharma, Addl. PP
for the State.
W/ASI Sushma, PS Uttam Nagar.
Mr Vikash Sharma and Mr Jitender
Kumar, Advocates for R-2.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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11.04.2018

Crl.M.A.6421/2018(exemption)

Allowed, subject to all just exceptions.

Crl.M.C.1793/2018

1. Petitioners seek quashing of FIR No.01/2014, under Sections 498A/406/34 IPC, Police Station Uttam Nagar, based on a Settlement.
2. Subject FIR emanates out of a matrimonial discord. Petitioner No.1 is the husband of respondent No.2. Petitioner No.2 is the father of petitioner No.1.

3. Parties have settled their dispute. A Settlement Deed dated 28.02.2017 has been executed between the parties before the Counselling Cell, Family Courts, Dwarka.

4. By way of settlement, a total sum of Rs.1,50,000/- was agreed to be paid to respondent No.2 towards full and final settlement of all her claims. A sum of Rs.1,25,000 has already been paid and balance amount of Rs.25,000/- has been paid by way of Demand Draft bearing No.127943 dated 05.04.2018 issued by the State Bank of India, Loni Branch, District Meerut, which is accepted in the 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 05.03.2018. 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 Deed dated 28.02.2017, which has been executed between the parties before the Counselling Cell, Family Courts, Dwarka, 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.01/2014, under Sections 498A/406/34 IPC, Police Station Uttam Nagar 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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