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

+ **CRL.M.C. 1855/2018**

NARENDER KUMAR & ORS

..... Petitioner

Through: Mr. M.S. Rajput, Adv.

versus

STATE (NCT OF DELHI) & ANR

..... Respondent

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

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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13.04.2018

Crl. M.A. No. 6640/2018 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 1855/2018

1. The petitioners seek quashing of FIR No. 738 of 2015 under Sections 498A/406/34 of the IPC and Section 4 of the Delhi Police Act, registered at Police Station Karawal Nagar, New 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 22.02.2018 has been passed. The entire amount of Rs. 3 lakhs has already been paid to respondent no. 2. The terms of settlement are recorded in the petition filed by the parties seeking first motion.

3. Respondent no. 2 is present in court in person and is identified by the Investigating Officer. She submits that she has settled the dispute with the petitioner 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 the Delhi Mediation Centre, Dwarka Courts, Delhi.

4. In view of the fact that the disputes between the petitioners 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. 738 of 2015 under Sections 498A/406/34 of the IPC and Section 4 of the Delhi Police Act, registered at Police Station Karawal Nagar, New Delhi and the consequent proceedings therefrom are, accordingly quashed.

6. Order Dasti under signatures of the Court Master.

SANJEEV SACHDEVA, J

APRIL 13, 2018
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