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

+ **CRL.M.C. 1949/2018**

VIKRANT MOHAN

..... Petitioner

Through: Ms. Anubha Kaushal, Advocate.

versus

STATE (GOVT OF, NCT OF DELHI) & ANR Respondents

Through: Mr. Arun Kumar Sharma, APP for the State.

Mr. Kailash Ray, Advocate for R-2
with respondent No.2 in person.

ASI Rajender Singh, PS Tilak Nagar.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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17.04.2018

CRL.M.C. 1949/2018

1. The petitioner seeks quashing of FIR No.365/2010 under Sections 406/498-A/34 IPC, Police Station Tilak Nagar.
2. Subject FIR emanates out of matrimonial discord. Petitioner No.1 is the husband of respondent No.2.
3. Learned counsel for the petitioner submits that the parties have settled their disputes before the Principal Judge, Family Court, Tis Hazari on 05.08.2017. The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 05.03.2018.
4. As per the Settlement Deed, 50% share of the petitioner in second floor plus roof rights of the property bearing No.WZ-7A/2, Prithvi Park, Krishna Nagar, New Delhi has been transferred in favour of the

respondent No.2. It is submitted by the parties that the parties have settled all their disputes and the petitioner has already paid to the respondent towards all claims of *Istridhan*, dowry and maintenance past, present and future.

5. The respondent No.2 is present in person and is identified by the Investigating Officer. She submits that she has settled her disputes with the petitioner and does not wish to press charges against the petitioner and prosecute the complaint any further.

6. In view of the fact that the proceedings emanate out of a matrimonial discord and the parties have fully and finally settled their disputes and the respondent No.2 has stated that she does not wish to press the complaint any further and the fact that the parties have already been divorced by way of a decree of divorce by mutual consent, passed on 05.03.2018, 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. In view of the above, FIR No.365/2010 under Sections 406/498-A/34 IPC, Police Station Tilak Nagar and the consequent proceedings emanating there from are quashed.

8. Order *Dasti* under the signatures of the Court Master.

SANJEEV SACHDEVA, J

APRIL 17, 2018/st