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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 2280/2018**
KAILASH & ORS

..... Petitioners

Through : Mr Vivek Kumar and Mr Vikrant,
Advocates.

versus

STATE (GOVT OF NCT OF DELHI

..... Respondent

Through : Mr Mukesh Kumar, Addl. PP for the
State.
SI Sandeep Kumar, PS Alipur.
Mr Akash Nagar and Mr Vikrant
Singh, Advocates for R-2.

CORAM:
HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER
% **29.05.2018**

1. Petitioners seek quashing of FIR No.119/2016, under Sections 498A/406 IPC, Police Station Alipur(Outer), 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. Petitioner No. 3 is the late brother of petitioner No.1, who is represented by his father. Petitioner Nos.4 & 5 are the brothers of petitioner No.1. Petitioner Nos.6 to 8 are the daughters of

petitioner No.1. Petitioner No.9 is the relation of petitioner No.1.

3. Parties have settled their dispute. Settlement Deed dated 09.06.2016 has been executed between the parties through the Delhi Mediation Centre, Rohini District Courts, Delhi.

4. By way of settlement, a total sum of Rs.7,00,000/- 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.2,00,000/- has been paid by way of Demand Draft bearing No.443355 dated 09.04.2018 issued by the Sarva Haryana Gramin Bank, Bahadurgarh, Jhajhar, 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 on 08.02.2017. 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 Settlement Deed dated 09.06.2016 has been executed between the parties through the Delhi Mediation Centre, Rohini District Courts, Delhi, and further 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 there from.

7. Accordingly, FIR No.119/2016, under Sections 498A/406 IPC, Police Station Alipur(Outer), and the consequent proceedings emanating there from are hereby quashed.

8. Order Dasti under signatures of Court Master.

SANJEEV SACHDEVA, J

MAY 29, 2018

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