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

+ **CRL.M.C. 2059/2018**

DR. KALANDI BARIK & ORS

..... Petitioners

Through Mr. Uday Prakash with Mr. Sumit
Kumar, Advs.

versus

NCT OF DELHI & ANR

..... Respondents

Through Ms. Neelam Sharma, Addl. PP for the
State with ASI Rajender Kumar
Mr. Vijay Joshi, Adv. with R-2 in
person.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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20.04.2018

Crl. M.A. No. 7307/2018 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 2059/2018

1. The petitioners seeks quashing of FIR No. 148 of 2015 under Sections 498A/406/34 of the IPC Police Station Mianwali Nagar, 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 16.04.2018 has been passed. A total sum of Rs. 24 lakhs has been agreed to be paid to respondent no. 2. A sum

of Rs. 20 lakhs has already been paid and the balance sum of Rs. 4,00,000/- has been paid to respondent no. 2 through RTGS today.

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 deed on 06.03.2018.

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 therefrom.

5. In view of the above, the petition is allowed. FIR No. 148 of 2015 under Sections 498A/406/34 of the IPC Police Station Mianwali Nagar, Delhi and the consequent proceedings therefrom are, accordingly quashed.

6. Order Dasti under signatures of the Court Master.

SANJEEV SACHDEVA, J

APRIL 20, 2018

‘rs’