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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 2896/2018**
AMIT MAHAJAN & ORS

..... Petitioners

Through : Mr Manoj Lohia and Mr Deepak
Mahajan, Advocates.

versus

NCT OF DELHI & ANR

..... Respondents

Through : Mr Mukesh Kumar, APP.
W/ASI Mithlesh, PS Model Town.

CORAM:
HON'BLE MR. JUSTICE SANJEEV SACHDEVA
ORDER
% **25.05.2018**

1. Petitioners seek quashing of FIR No.1836/2015, under Sections 498A/406/377/34 IPC, Police Station Mukherjee 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. Petitioner No.3 is the brother of petitioner No.1. Petitioner No.4 is the relations of petitioner No.1.

3. Exemption is prayed for on behalf of petitioner No.1 on the ground that he is suffering from blood cancer.

4. For the reasons stated above, petitioner No.1 is granted exemption from personal appearance.

5. Parties have settled their dispute. Settlement Agreement dated 12.08.2016 has been executed between the parties before the Delhi Mediation Centre, Rohini District Courts, Delhi.

6. By way of settlement, a total sum of Rs.50,50,000/- was agreed to be paid to respondent No.2 towards full and final settlement of all her claims. A sum of Rs.40 lakhs has already been paid and balance amount of Rs.10,50,000/- (Rs.9,00,000/- by way of Demand Draft bearing No.069305 dated 23.05.2018 issued by the DCB Bank, New Delhi and Rs.1,50,000/- in cash) has been paid to respondent No.2, which is accepted in the Court today.

7. Respondent No.2 is present in Court in person, 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 19.12.2017. She also submits that she does not wish to press her complaint any further.

8. 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 Agreement dated 12.08.2016 has been executed between the parties before 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 therefrom.

9. Accordingly FIR No.1836/2015, under Sections 498A/406/377/34 IPC, Police Station Mukherjee Nagar and the consequent proceedings emanating therefrom are hereby quashed.

10. Order Dasti under signatures of Court Master.

SANJEEV SACHDEVA, J

MAY 25, 2018

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