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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 2313/2018**
VINOD KUMAR & ORS

..... Petitioners

Through : Mr Ashok Kumar Gahaloth, Advocate
with petitioners in person.

versus

THE STATE (NCT OF DELHI) & ANR

..... Respondent

Through : Mr G.M.Farooqui, APP.
SI Sunil, PS Fatehpur Beri.
Mr Sunder Singh and Mr Sunil
Kumar, Advocates for R-2.

CORAM:
HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **02.05.2018**

Crl. M.A.8213/2018 (exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 2313/2018

1. Petitioners seek quashing of FIR No.672/2015, under Sections 498A/406/34 IPC, Police Station Fatehpur Beri, based on a Settlement.

2. Subject FIR emanates out of a matrimonial discord. Petitioner No.1 is the husband of respondent No.2. Petitioner Nos.2 & 3 are the

parents of petitioner No.1. Petitioner Nos.4 & 5 are the brothers of petitioner No.1. Petitioner No.6 is in relation of petitioner No.1.

3. Parties have settled their dispute. A Settlement Deed dated 15.03.2018 has been executed between the parties before the Mediation Centre, Saket Courts, New Delhi.

4. By way of settlement, a total sum of Rs.2,50,000/- was agreed to be paid to respondent No.2 towards full and final settlement of all her claims. A sum of Rs.1,25,000/- has already been paid and balance amount of Rs.1,25,000/- has been paid by way of Demand Draft bearing No.766939 dated 27.04.2018 issued by the Corporation Bank, Rewari Branch, which is accepted in the Court today.

5. As per the Settlement Terms, permanent custody of the minor daughter will remain with the petitioners.

6. 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 ex-parte decree of divorce on 04.11.2016. She also submits that she does not wish to press her complaint any further. She undertakes that she shall not claim any right contrary to the Settlement Terms. The Undertaking is accepted.

7. 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 before the Mediation Centre, Saket Courts, New Delhi and a Settlement Deed dated 15.03.2018 has been executed between the parties and 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.

8. Accordingly, FIR No.672/2015, under Sections 498A/406/34 IPC, Police Station Fatehpur Beri, and the consequent proceedings emanating therefrom are hereby quashed.

9. Order Dasti under signatures of Court Master.

SANJEEV SACHDEVA, J

MAY 02, 2018

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