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

+ **CRL.M.C. 2440/2018**

HIRA NAND JHA

..... Petitioner

Through Mr. Ajay Kumar Jha, Advocate.

versus

THE STATE (NCT OF DELHI) & ANR

..... Respondents

Through Mr. G.M. Farooqui, APP for the
State.

Mr. I.S. Sharma, Advocate for R-2.
ASI Nimmo, PS Uttam Nagar.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **16.05.2018**

CRL.M.C. 2440/2018

1. Learned counsel for the petitioner prays for impleadment of other co-accused as the petitioner Nos.2 to 6.
2. On the oral prayer of the petitioner, petitioner Nos.2 to 6 are impleaded as parties.
3. The petitioners seek quashing of FIR No.529/2017 under Sections 498-A/406/34 IPC, Police Station Uttam Nagar, based on a settlement.
4. The subject FIR emanates out of matrimonial discord. Petitioner No.1 is the husband of respondent No.2. Petitioner No.2 is

the father-in-law of the respondent No.2. Petitioner Nos.3 & 4 are the brothers-in-law of the respondent No.2. Petitioner No.5 is the mother-in-law of the respondent No.2. Petitioner No.6 is the wife of the petitioner No.4.

5. Learned counsel for the petitioners submits that the parties have settled their disputes and compromise/settlement terms are recorded in judgment dated 06.03.2018 of the Family Court. The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 06.03.2018.

6. The respondent No.2 was to be paid a total sum of Rs.5,00,000/- in full and final settlement of all her claims. A sum of Rs.3,50,000/- has already been paid. The balance sum of Rs.1,50,000/- has been paid by way of Bankers Cheque No.421826 dated 19.03.2018 drawn on Bank of Baroda.

7. The respondent No.2 is present in person and represented by counsel and identified by the IO. She submits that she has settled her disputes with the petitioners and does not wish to press charges against the petitioners and prosecute the complaint any further.

8. 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 06.03.2018, 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 there from.

9. Accordingly, the petition is allowed. FIR No.529/2017 under Sections 498-A/406/34 IPC, Police Station Uttam Nagar and the consequent proceedings emanating there from are quashed.

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

MAY 16, 2018
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SANJEEV SACHDEVA, J