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

+ **CRL.M.C. 2610/2018**

**DEEPAK GUPTA & ORS**

..... Petitioners

Through Mr. Prashant Sharma, Advocate.

versus

**STATE & ANR**

..... Respondents

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

SI Suryaprakash, PS Swaroop Nagar

**CORAM:**

**HON'BLE MR. JUSTICE SANJEEV SACHDEVA**

**ORDER**

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**16.05.2018**

**Crl.M.A.9267/2018 (exemption)**

Exemption is allowed subject to all just exceptions.

**CRL.M.C. 2610/2018**

1. Learned counsel for the petitioners informs that Smt. Krishna Devi, one of the co-accused, has expired on 03.06.2018.

2. The petitioners seek quashing of FIR No.80/2015 under Sections 498-A/406/34 IPC, Police Station Swaroop Nagar, based on a settlement.

3. The subject FIR emanates out of matrimonial discord. Petitioner No.1 is the husband of respondent No.2. Petitioner No.2, 4 and 6 are the husband of the sister-in-law of the respondent No.2.

Petitioner Nos.3, 5 and 7 are the sister-in-law of the respondent No.2.

4. Learned counsel for the petitioners submits that the parties have settled their disputes and the settlement terms have been recorded in order dated 07.02.2018 before the Family Court. The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 07.02.2018.

5. The respondent No.2 was to be paid a total sum of Rs.11,25,000/- in full and final settlement of all her claims. A sum of Rs.8,00,000/- has already been paid. The balance sum of Rs.3,25,000/- has been paid by way of Demand Draft No.750822 dated 14.05.2018 drawn on Oriental Bank of Commerce.

6. The respondent No.2 is present in person and is identified by the Investigating Officer. 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.

7. 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 07.02.2018, 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.

8. Accordingly, the petition is allowed. FIR No.80/2015 under Sections 498-A/406/34 IPC, Police Station Swaroop Nagar and the consequent proceedings emanating there from are quashed.

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

**SANJEEV SACHDEVA, J**

**MAY 16, 2018**  
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