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

+ **CRL.M.C. 2741/2018**

SOUBHAGYA BAJAJ & ORS Petitioners

Through Mr. Sudershan Ray, Adv.

versus

STATE (GNCT OF DELHI) & ANR Respondents

Through Mr. Akshai Malik, Addl. PP for the
State with SI Arti

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **28.05.2018**

Crl. M.A. No. 9767/2018 (Exemption)

Allowed, subject to all just exceptions.

Crl. M.A. 10586/2018 (Impleadment)

By this application, the petitioner seeks impleadment of Mrs. Shudhi and Mr. Karan, as petitioner no. 4 & 5. For the reasons stated in the application, the application is allowed. Co-accused are impleaded as petitioner no. 4 and 5. Amended memo of parties is taken on record.

CRL.M.C. 2741/2018

1. Exemption is sought on behalf of petitioner no. 3 on the ground that she has undergone a surgery. For the reasons stated Petitioner no. 3 is exempted from personal appearance.

2. The petitioners seek quashing of FIR No. 81 of 2017 under Sections 498A/406/420/34 of the IPC Police Station Patel Nagar, New Delhi, based on a settlement. It is contended that the FIR was lodged consequent to a matrimonial discord.

3. 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 03.04.2018 has been passed. It is further submitted on behalf of the parties that parties had entered into the settlement before Delhi Mediation Centre, Tis Hazari Courts, Delhi on 29.07.2017. As per the settlement, a total sum of Rs. 17.50 lakhs has been agreed to be paid to respondent no. 2. A sum of Rs. 12.50 lakhs along with jewellery articles have already been paid/returned and the balance sum of Rs. 5 lakhs has been paid to respondent no. 2 by way of Demand Draft No. 642284 dated 03.04.2018 issued by Citi Bank today in the Court.

4. 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.

5. In view of the fact that the disputes between the petitioners 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.

6. In view of the above, the petition is allowed. FIR No. 81 of 2017 under Sections 498A/406/420/34 of the IPC Police Station Patel Nagar, New Delhi and the consequent proceedings emanating therefrom are, accordingly quashed.

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

SANJEEV SACHDEVA, J

MAY 28, 2018
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