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

+ **CRL.M.C. 2865/2018**

RAHUL & ORS

..... Petitioners

Through Mr. Sarvesh Kumar, Adv.

versus

THE STATE GOVT OF NCT OF DELHI & ANR Respondents

Through Mr. Arun Kr. Sharma, Addl. PP for
the State with IO

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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24.05.2018

Crl. M.A. No. 10144/2018 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 2865/2018

1. The petitioner seeks quashing of FIR No. 25 of 2017 under Sections 498A/406/34 of the IPC Police Station Crime (Women) Cell, Nanak Pura, New Delhi, based on a settlement. It is contended that the FIR was lodged consequent to a matrimonial discord.

2. 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 20.03.2018 has been passed. It is further submitted on behalf of the parties that parties had entered into the settlement on 05.05.2017. As per the settlement, a total sum of Rs. 1,50,000/- has been agreed to be paid to respondent no. 2. A sum of Rs.1,00,000/- has already been paid and the balance sum of Rs. 50,000/-

has been paid to respondent no. 2 by way of Demand Draft/Banker's Cheque No. 822378 dated 04.04.2018 issued by State Bank of India today in the Court.

3. Respondent no. 2 is present in court in person and is identified by the Investigating Officer. She submits that she has settled the dispute with the petitioner(s) and is agreeable to the settlement and does not wish to press criminal charges against the petitioner(s) any further.

4. In view of the fact that the disputes between the petitioner(s) 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.

5. In view of the above, the petition is allowed. FIR No. 25 of 2017 under Sections 498A/406/34 of the IPC Police Station Crime (Women) Cell, Nanak Pura, New Delhi and the consequent proceedings therefrom are, accordingly quashed.

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

SANJEEV SACHDEVA, J

MAY 24, 2018

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