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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 3032/2018

ASHISH MANDAL & ORS

..... Petitioners

Through

Mr. Satender Singh, Advocate.

versus

THE STATE & ANR

..... Respondents

Through

Mr. Arun Kumar Sharma, APP for the
State

SI C.B. Sharma, PS New Usmanpur.

Ms. Rita Saluja, Advocate for R-2.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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29.05.2018

Crl.M.A.10666/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 3032/2018

1. The petitioners seek quashing of FIR No.955/2015 under Sections 498A/406/34 IPC, Police Station New Usmanpur.
2. The subject FIR emanates out of matrimonial discord. Petitioner No.1 is the husband of respondent No.2. Petitioner No.2 is the sister-in-law of the respondent No.2. Petitioner No.3 is the daughter of the petitioner No.2.
3. Learned counsel for the petitioners submits that the disputes between the parties have been settled before the Counselling Cell, Karkardooma Court on 01.02.2018. The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 10.05.2018.

4. Respondent No.2 was to be paid a total sum of Rs.4,00,000/-, in full and final settlement of all her claims. A sum of Rs. 3,00,000/- has already been paid. The balance sum of Rs.1,00,000/- has been paid to respondent No.2 by way of demand draft No.316838 dated 21.05.2018 drawn on Central Bank of India.

5. Respondent No.2 is present in person, represented by counsel 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.

6. 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 10.05.2018, 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.

7. In view of the above, the petition is allowed. FIR No.955/2015 under Sections 498A/406/34 IPC, Police Station New Usmanpur and the consequent proceedings emanating there from are quashed.

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

MAY 29, 2018/st

SANJEEV SACHDEVA, J