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

+ **CRL.M.C. 2970/2018**

DEEPAK MISHRA & ORS

..... Petitioners

Through Mr. Naveen Kumar, Advocate.

versus

THE STATE & ANR

..... Respondents

Through

Ms. Neelam Sharma, APP for the State.

Mr. Manish Bhadauria with Ms. Priyanka Bhadauria, Advocates for R-2.

SI Parshant, ASI Suresh, PS New Usman Pur.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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28.05.2018

Crl.M.A.10493/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 2970/2018

1. The petitioners seek quashing of FIR No.298/2016 under Sections 498-A/406/34 IPC, Police Station New Usmanpur, North-East District, Delhi.

2. The subject FIR emanates out of matrimonial discord. Petitioner No.1 is the husband of respondent No.2. Petitioner Nos.2 and 4 are the mother-in-law and father-in-law of the respondent No.2.

Petitioner No.5 is the brother-in-law of the respondent No.2. Petitioner No.3 is the wife of the petitioner No.5. Petitioner No.6 is the sister-in-law of the respondent No.2. Petitioner No.7 is the husband of the petitioner No.6.

3. Learned counsel for the petitioners submits that the parties have settled their disputes before the Counselling Cell, Family Court, Saket on 08.02.2017. The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 19.02.2018.

4. The respondent No.2 was to be paid a total sum of Rs.4,80,000/- 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.1,80,000/- has been paid to the respondent No.2 by way of Demand Draft No.850780, dated 10.05.2018 drawn on Corporation Bank.

5. The respondent No.2 is present in person, represented by a 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 19.02.2018, 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 therefrom.

7. In view of the above, FIR No.298/2016 under Sections 498-A/406/34 IPC, Police Station New Usmanpur, North-East District, Delhi and the consequent proceedings emanating there from are quashed.

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

MAY 28, 2018
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SANJEEV SACHDEVA, J