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

+ **CRL.M.C. 3059/2018**

TUSHAR SINGH & ORS

..... Petitioners

Through Mr. S.S. Tomar, Advocate.

versus

THE STATE (NCT OF DELHI)& ANR

..... Respondents

Through Mr. Mukesh Kumar, APP for the
State.

Mr. K.K. Malhotra, Advocate for R-2
SI Shri Gopal, PS Shakarpur.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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30.05.2018

Crl.M.A.10783/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 3059/2018

1. The petitioners seek quashing of FIR No.1266/2014 under Sections 498A/406/506/34 IPC, Police Station New Shakarpur.

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 father-in-law and mother-in-law of the respondent No.2. Petitioner No.3 is the brother-in-law of the respondent No.2. Petitioner No.5 is the sister-in-law of the respondent No.2.

3. Learned counsel for the petitioners submits that the disputes between the parties have been settled through the process of mediation held before Delhi Mediation Centre, Tis Hazari on 20.04.2017. The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 28.02.2018.

4. Respondent No.2 was to be paid a total sum of Rs. 38,00,000/-, in full and final settlement of all her claims. A sum of Rs. 33,00,000/- has already been paid. The balance sum of Rs.5,00,000/- has been paid to respondent No.2 by way of demand draft No.831416 dated 25.05.2018 drawn on Allahabad Bank.

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 28.02.2018, 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.

7. In view of the above, the petition is allowed. FIR No.1266/2014 under Sections 498A/406/506/34 IPC, Police Station New Shakarpur and the consequent proceedings emanating there from are quashed.

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

MAY 30, 2018
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SANJEEV SACHDEVA, J