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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 3100/2018**
SANDEEP KUMAR & ORS

..... Petitioners

Through : Mr Jitender Yadav, Advocate.

versus

THE STATE (NCT OF DELHI) & ANR

..... Respondents

Through : Mr G.M.Farooqui, APP.
ASI Banwari Lal, PS Moti Nagar.
Mr Amit Manchanda, Advocate.

CORAM:
HON'BLE MR. JUSTICE SANJEEV SACHDEVA
ORDER
% 30.05.2018
Crl. M.A. 10874/2018(exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 3100/2018

1. Petitioners seek quashing of FIR No.566/2016, under Sections 498A/406/34 IPC, Police Station Moti Nagar, based on a Settlement.
2. Subject FIR emanates out of a matrimonial discord. Petitioner No.1 is the husband of respondent No.2. Petitioner Nos.2 & 3 are the parents of petitioner No.1. Petitioner Nos.4 & 6 are the brothers of petitioner No.1. Petitioner No.5 is the sister-in-law of petitioner No.1.

3. Parties have settled their dispute. Settlement dated 03.08.2017 has been executed between the parties through the Delhi Mediation Centre, Tis Hazari Courts, Delhi.
4. By way of settlement, a total sum of Rs.7,00,000/- was agreed to be paid to respondent No.2 towards full and final settlement of all her claims. A sum of Rs.6 lakhs has already been paid and balance amount of Rs.1,00,000/- has been paid by way of Demand Draft bearing No.740102 dated 31.03.2018 issued by the State Bank, Wazirpur Branch, which is accepted in the Court today.
5. As per the Settlement, the permanent custody of the minor child is to remain with respondent No.2.
6. Petitioners, who are present in Court in person, undertake that they shall not claim any right contrary to the Settlement Terms. The undertaking is accepted.
7. Respondent No.2 is present in Court in person, and is identified by the Investigating Officer. She confirms that the settlement has taken place and further submits that the marriage between the parties has been dissolved by way of decree of divorce by mutual consent on 04.01.2018. She also submits that she does not wish to press her complaint any further.
8. In view of the above and keeping in view of the fact that the FIR emanates from matrimonial discord and the parties have resolved their dispute and Settlement dated 03.08.2017 has been executed

between the parties through the Delhi Mediation Centre, Tis Hazari Courts, Delhi, and respondent No. 2 does not wish to press her complaint, 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.

9. Accordingly, FIR No.566/2016, under Sections 498A/406/34 IPC, Police Station Moti Nagar and the consequent proceedings emanating there from are hereby quashed.

10. Order Dasti under signatures of Court Master.

SANJEEV SACHDEVA, J

MAY 30, 2018

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