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

+ **CRL.M.C. 3162/2018**

MANISH KUMAR

..... Petitioner

Through Ms. Amulya Anand and Mr. Deva
Mani Mishra, Advs.

versus

THE STATE (NCT OF DELHI)& ANR

..... Respondents

Through Mr. Arun Kr. Sharma, Addl. PP for
the State with ASI Chitter Singh

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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31.05.2018

1. The petitioner seeks quashing of FIR No. 368 of 2016 under Sections 498A/406/34 of the IPC Police Station Dwarka South, 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 09.11.2017 has been passed. It is further submitted on behalf of the parties that parties had entered into the settlement before the Counselling Cell, Family Courts, Dwarka, New Delhi on 09.03.2017. As per the settlement, a sum of Rs. 75,000/- has been agreed to be paid to respondent no. 2. The said amount of Rs. 75,000/- has been paid to respondent no. 2.

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

4. In view of the fact that the disputes between the petitioner 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. 368 of 2016 under Sections 498A/406/34 of the IPC Police Station Dwarka South, New Delhi and the consequent proceedings therefrom are, accordingly quashed.

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

SANJEEV SACHDEVA, J

MAY 31, 2018

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