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

+ **CRL.M.C. 3155/2018**

KAPIL KAUSHIK

..... Petitioner

Through Mr. Amit Goel, Advocate with
petitioner in person.

versus

STATE NCT OF DELHI & ANR.

..... Respondents

Through Mr. Arun Kumar Sharma, APP for the
State.
SI Dharmendra Pratap Singh, PS
Samaipur Badli.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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31.05.2018

Crl.M.A.11048/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 3155/2018

1. The petitioner seeks quashing of FIR No.717/2017 under Sections 354/509/506 IPC, Police Station Samaipur Badli.
2. The subject FIR is an offshoot of a matrimonial discord. The petitioner is the brother of the husband of the respondent No.2/complainant.
3. Learned counsel for the petitioners submits that the disputes between the parties have been settled and a settlement agreement dated 12.12.2017 has been executed between the respondent No.2 and her husband.

4. As per the settlement terms, respondent No.2 was to be paid a sum of Rs. 75,000/-, out of Rs.2,25,000/-, agreed to be paid by the husband of the respondent No.2 at the time of quashing of the subject FIR. Balance amount of 75,000/- has been paid to the respondent No.2 in cash today in Court.

5. Respondent No.2 is present in person and is identified by the Investigating Officer. She submits that she has settled her disputes with the petitioner and does not wish to press charges against the petitioner 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 a settlement agreement dated 12.12.2017 has been executed between the respondent No.2 and her husband, 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.717/2017 under Sections 354/509/506 IPC, Police Station Samaipur Badli and the consequent proceedings emanating there from are quashed.

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

MAY 31, 2018/st

SANJEEV SACHDEVA, J