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

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Judgment delivered on: 16.07.2018

+ CRL.M.C. 3478/2018

ASHOK KUMAR & ORS

..... Petitioners

versus

STATE (GOVT. OF NCT OF DELHI) & ANR..... Respondents

Advocates who appeared in this case:

For the Petitioners : Mr. Prabhoo Dayal Tiwari with Mr. Surya Kumar and Ms. Manisha Tiwari, Advocates

For the Respondent: Mr. Kamal Kumar Ghai, APP for the State.
SI Amit Kumar, PS Ambedkar Nagar

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

16.07.2018

SANJEEV SACHDEVA, J. (ORAL)

CRL.M.C. 3478/2018

1. The petitioners seek quashing of FIR No.258/2017 under Sections 498A/406/34 IPC, Police Station Ambedkar Nagar.

2. The subject FIR emanates out of matrimonial discord. Petitioner No.1 is the husband of respondent No.2. Petitioner Nos.2 and 3 are the father-in-law and mother-in-law of the respondent No.2.

Petitioner Nos.4 and 5 are the sisters-in-law of the respondent No.2.

3. Learned counsel for the petitioners submits that the parties have settled their disputes before the Mediation Centre, Saket Courts on 02.08.2017. The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 02.05.2018.

4. The respondent No.2 was to be paid a total sum of Rs.3,50,000/- 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.50,000/- is being paid today to the respondent No.2 in court by way of Demand Draft No.022548 dated 10.07.2018 drawn on The Kangra Co-Operative Bank Ltd. for Rs.50,000/-.

5. The respondent No.2 is present in person, represented by counsel and is identified by the Investigating Officer/SI Amit Kumar, P.S. Ambedkar Nagar. She has filed a supporting affidavit as well as the identity proof. 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 02.05.2018, 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, No.258/2017 under Sections 498A/406/34 IPC, Police Station Ambedkar Nagar and the consequent proceedings emanating there from are quashed.

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

JULY 16, 2018
ns

SANJEEV SACHDEVA, J

नस्यमेव जयते