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

% Judgment delivered on: 23.07.2018

+ CRL.M.C. 3605/2018

DHARMENDER PANDIT Petitioner

versus

THE STATE & ANR (N.C.T. OF DELHI) Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Narendra Kumar, Adv.

For the Respondent: Mr. Panna Lal Sharma, Addl. PP for the State with
SI Roop lal

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

23.07.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl. M.A. 28255/2018 (Exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 3605/2018

1. The petitioner seeks quashing of FIR No. 38 of 2011 under Sections 498A/406 of the IPC registered at Police Station Begumpur, 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 09.12.2013 has been passed. It is further submitted on behalf of the parties that parties had entered into a settlement on 25.02.2011. As per the settlement, minor child shall remain in the custody of the petitioner with visitation rights as agreed to between the parties for Respondent no. 2.

3. Respondent no. 2 who is present in court in person is identified by the Investigating Officer. Respondent no. 2 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. 38 of

2011 under Sections 498A/406 of the IPC registered at Police Station Begumpur, New Delhi and the consequent proceedings therefrom are, accordingly quashed.

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

JULY 23, 2018
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SANJEEV SACHDEVA, J

