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

% Judgment delivered on: 06.07.2018
+ CRL.M.C. 3327/2018, CRL.M.A.12061/2018.

KULDEEP & ORS Petitioners

versus

STATE (NCT OF DELHI)& ANR Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Parmil Kumar, Adv.

For the Respondent: Mr. Sanjeev Sabharwal, Addl. PP for
the State with ASI
Respondent No. 2 in person.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

06.07.2018

SANJEEV SACHDEVA, J. (ORAL)

1. The petitioner seeks quashing of FIR No. 350 of 2016 under Sections 498A/406/506/354/34 of the IPC read with Section 4 of the Dowry Prohibition Act at Police Station Harsh Vihar, 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 06.04.2018 has been passed. It is further submitted on behalf of the parties that parties had entered into the settlement before the Delhi Mediation Centre, Karkardooma Courts, New Delhi on 12.07.2017.

3. As per the settlement, a total sum of Rs. 4,30,000/- was agreed to be paid to respondent no. 2. The amount of Rs. 4,30,000/- has already been paid to respondent no. 2.

4. Respondent no. 2 who is present in court in person and is identified by the Investigating Officer. IO confirms that respondent no. 2 has received the entire sum of Rs. 4,30,000/- from the petitioner. Respondent no. 2 submits that she has settled the dispute with the petitioners and is agreeable to the settlement and does not wish to press the criminal charges against the petitioners any further.

5. In view of the fact that the disputes between the petitioners 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 there from.

6. In view of the above, the petition is allowed. FIR No. 350 of

2016 under Sections 498A/406/506/354/34 of the IPC read with Section 4 of the Dowry Prohibition Act at Police Station Harsh Vihar, New Delhi and the consequent proceedings there from are, accordingly quashed.

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

JULY 06, 2018
'rs'

SANJEEV SACHDEVA, J



नित्यमेव जयते