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

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Judgment delivered on: 10.07.2018

+ CRL.M.C. 3385/2018

JITENDER MOHAN @ JATIN

..... Petitioner

versus

STATE & ANR

..... Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Jitender Gupta and Mr. Deepak Rohilla, Advs for petitioner.

For the Respondents: Mr. Kamal Kumar Ghai, Addl. PP for the State with SI Vikas, P.S. Hari Nagar.
Respondent No. 2 in person.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

10.07.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl. M.A. 12263/2018 (exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 3385/2018

1. The petitioner seeks quashing of FIR No. 773 of 2015 under Sections 498A/406/34 of the IPC at Police Station Hari Nagar, 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. It is further submitted on behalf of the parties that parties had entered into the Memorandum of Settlement dated 23.03.2018.

3. Parties are present in court and undertake that they shall abide by the terms and conditions mentioned in the Memorandum of Settlement dated 23.03.2018. The undertakings are accepted.

4. Respondent no. 2 who is present in court in person is identified by the IO. 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.

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. 773 of 2015 under Sections 498A/406/34 of the IPC at Police Station Hari Nagar, New Delhi, and the consequent proceedings emanating there from are accordingly quashed.

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

JULY 10, 2018/ssc

SANJEEV SACHDEVA, J