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

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Judgment delivered on:28.09.2018

+ CRL.M.C. 3365/2018

MAHENDER @DABBU & ORS

..... Petitioners

versus

STATE (NCT OF DELHI)

..... Respondent

**Advocates who appeared in this case:**

For the Petitioner : Mr.Neeraj Anand, Advocate.

For the Respondents : Mr. Sanjeev Sabharwal, APP for the State with  
SI Narender Singh, P.S. Ambedkar Nagar.  
Mr.Akshaya Kr.Sharma, Adv. for R-2.

**CORAM:-**

**HON'BLE MR JUSTICE SANJEEV SACHDEVA**

**JUDGMENT**

**28.09.2018**

**SANJEEV SACHDEVA, J. (ORAL)**

1. Petitioners seek quashing of FIR No. 12 of 2009 under Sections 498A/406/34 of the IPC registered at Police Station Ambedkar Nagar, Delhi, based on a settlement.
2. Subject FIR emanates out of matrimonial discord.
3. Learned counsel for the petitioners submits that the parties have settled their disputes before the Mediation Centre, Saket on 10.02.2016. Parties have already been divorced by way of a decree of divorce by mutual consent, passed on 07.10.2017.
4. As per the settlement, a sum of Rs. 4,50,000/- was agreed to be paid.

A sum of Rs.3,00,000/- has already been paid. Balance amount of Rs.1,50,000/- has been paid in Court today vide demand draft No.929209 dated 16.07.2018 drawn on State Bank of India along with an additional amount of Rs.10,000/-.

5. Respondent no. 2 is present in court in person is represented by a counsel and identified by the IO. Respondent no. 2 submits that she has settled the disputes with the petitioners and is agreeable to the settlement and does not wish to press the criminal charges against the petitioners any further.

6. 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.

7. In view of the above, the petition is allowed. FIR No. 12 of 2009 under Sections 498A/406/34 of the IPC registered at Police Station Ambedkar Nagar, Delhi, and the consequent proceedings emanating there from are, accordingly quashed.

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

**SEPTEMBER 28, 2018/rk**

**SANJEEV SACHDEVA, J**