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

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Judgment delivered on: 19.07.2018

+ CRL.M.C.3536/2018

JASJEET SWARUP SINGH SAINI

..... Petitioner

versus

THE STATE (NCT OF DELHI) & ORS.

..... Respondents

Advocates who appeared in this case:

For the Petitioner : Mr.Sumeet Chopra, Adv.

For the Respondent: Mr.Kamal Kumar Ghai, Addl. PP for
the State with SI Sunil, P.S.Fatehpur Beri.
Mr.N.K.Nagar, Adv.for R-2.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

19.07.2018

SANJEEV SACHDEVA, J. (ORAL)

1. The petitioner seeks quashing of FIR No. 636 of 2014 under Sections 406/498A/34 of the IPC at Police Station Fatehpur Beri, New Delhi, based on a settlement. It is contended that the FIR was lodged consequent to a matrimonial discord.

2. As per the settlement, a total sum of Rs. 7,50,000/- was agreed to be paid to respondent no. 2. The amount of Rs. 5,00,000/- has already been paid to respondent no. 2. The balance amount of Rs.2,50,000/- has been paid by way of Demand draft No.037101 dated

05.07.2018 drawn on ICICI Bank.

3. 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 17.04.2018 has been passed. It is further submitted on behalf of the parties that parties had entered into the settlement before the Counselling Cell, Saket Courts, New Delhi dated 08.09.2017.

4. Learned counsels for the parties inform that other disputes between the parties have also been resolved and proceedings have been concluded on the basis of the subject settlement.

5. Respondent no. 2 who is present in court in person and represented by counsel, is identified by the IO. 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.

6. 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

there from.

7. In view of the above, the petition is allowed. FIR No. 636 of 2014 under Sections 406/498A/34 of the IPC at Police Station Fatehpur Beri, New Delhi, and the consequent proceedings there from are, accordingly quashed.

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

JULY 19, 2018

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SANJEEV SACHDEVA, J

