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

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Judgment delivered on: 09.08.2018

+ CRL.M.C. 4011/2018

SOMESHWAR BHARTI & ORS

..... Petitioners

versus

THE STATE & ORS

..... Respondents

Advocates who appeared in this case:

For the Petitioners : Ms. Shama Parveen, Adv.

For the Respondent: Mr. Kamal Kr. Ghai, Addl. PP for the State with
SI Ranvir Singh
Mr. Sohan Lal, Adv. for R-2 with R-2 in person

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

09.08.2018

1. The petitioners seek quashing of FIR No. 212 of 2012 under Sections 498A/406/34 of the IPC registered at Police Station Burari, 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 23.04.2018 has been passed. It is further submitted on behalf of the parties that parties had entered into a settlement dated 09.11.2017 held at Delhi Mediation Centre, Tis Hazari

Courts, Delhi.

3. Learned counsel for petitioners points out that the father of petitioner no. 1, late Sh. Gianeshwar Bharti who was also co-accused has since expired.

4. Respondent no. 2 who is present in court in person, represented by her counsel and is identified by the Investigating Officer. 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 therefrom.

6. In view of the above, the petition is allowed. FIR No. 212 of 2012 under Sections 498A/406/34 of the IPC registered at Police Station Burari, Delhi and the consequent proceedings therefrom are, accordingly quashed.

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

SANJEEV SACHDEVA, J

AUGUST 09, 2018/‘rs’