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

% Judgment delivered on: 26.07.2018

+ CRL.M.C. 3680/2018

RAHUL & ANR

..... Petitioners

versus

THE STATE & ANR

..... Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Himanshu Buttan, Adv.

For the Respondent: Mr. Panna Lal Sharma, Addl. PP for the State with
SI Kamlesh Kumar
Mr. Yogesh Kumar, Adv. for complainant /R-2

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT
26.07.2018

SANJEEV SACHDEVA, J. (ORAL)

1. The petitioners seek quashing of FIR No. 253 of 2008 under Sections 498A/406/34 of the IPC registered at Police Station Sarita 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 04.05.2018 has been passed.

3. It is further submitted on behalf of the parties that parties had entered into a settlement before Delhi Mediation Centre, Saket Courts, on 15.12.2016. As per the settlement, a total sum of Rs. 3,60,000/- has been agreed to be paid to respondent no. 2. A sum of Rs. 2,60,000/- has already been paid and the balance sum of Rs. 1,00,000/- has been paid to respondent no. 2, in cash, today outside the Court.

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. She confirms the receipt of the balance amount of Rs. 1,00,000/-.

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

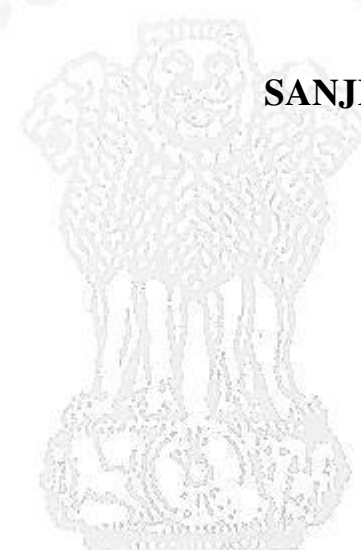
therefrom.

6. In view of the above, the petition is allowed. FIR No. 253 of 2008 under Sections 498A/406/34 of the IPC registered at Police Station Sarita Vihar, New Delhi and the consequent proceedings emanating therefrom are, accordingly quashed.

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

JULY 26, 2018
'rs'

SANJEEV SACHDEVA, J



न्यायमेव जयते