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

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Judgment delivered on: 30.07.2018

+ CRL.M.C. 3728/2018

DEEPAK SHARMA & ORS.

..... Petitioners

versus

THE STATE (GOVT. OF NCT OF DELHI) & ANR Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Nimish Chib, Advocate.

For the Respondent: Mr. Raghuvinder Verma, Addl. PP for
the State
Mr. Nagendra Singh and Mr. Jitender, Advs. for
respondent/complainant

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

30.07.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl. M.A. 28727/2018 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 3728/2018

1. The petitioners seek quashing of FIR No. 809 of 2016 under Sections 498A/406 of the IPC Police Station Uttam Nagar, New Delhi, based on a settlement arrived at before the Delhi Mediation

Centre, Rohini Courts, Delhi on 28.02.2018. 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 the settlement before the Delhi Mediation Centre, Dwarka Courts, New Delhi on 19.07.2017. As per the settlement, a total sum of Rs. 7 lakhs has been agreed to be paid to respondent no. 2.

3. Respondent no. 2 is present in court in person, represented by her counsel and is identified by the Investigating Officer. She confirms that she has received the entire sum of Rs. 7 lakhs. 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.

4. 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.

5. In view of the above, the petition is allowed. FIR No. 809 of 2016 under Sections 498A/406 of the IPC Police Station Uttam Nagar, New Delhi and the consequent proceedings therefrom are, accordingly quashed.

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

JULY 30, 2018
'rs'

SANJEEV SACHDEVA, J

