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

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Judgment delivered on: 27.08.2018

+ CRL.M.C. 4317/2018

AMIT KUMAR & ORS.

.... Petitioners

versus

THE STATE (G.N.C.T. OF DELHI) & ANR. Respondents

Advocates who appeared in this case:

For the Petitioners : Mr. Binod Kumar Jha with Mr. Shashi
Kumar Shukla, Advocates

For the Respondents: Mr. Kamal Kumar and Mr. Ashok
Kumar Sharma, Advocates for the
Complainant.
ASI Ramphal Singh, PS Dabri

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

27.08.2018

SANJEEV SACHDEVA, J. (ORAL)

CrI.M.A.30754/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 4317/2018

1. The petitioner seeks quashing of FIR No. 100/2016 under

Sections 498A/406/34 IPC, registered at Police Station, Dabri.

2. The subject FIR emanates out of matrimonial discord.
3. Learned counsel for the petitioner submits that the parties have settled their dispute before the Mediation Centre, Dwarka Courts, Delhi.
4. As per the settlement, a total amount of Rs. 3,00,000/-is to be paid to respondent no. 2. A sum of Rs. 2 lacs have already been paid. Rs. One lakh is being paid today in Court by way of Demand Draft no. 413359 dated 23rd July, 2018 drawn on Oriental Bank of Commerce.
5. Respondent no. 2 is present in Court in person represented by counsel and identified by the Investigating Officer. She submits that she has settled her disputes with the petitioners and does not wish to press charges against the petitioners and prosecute the complaint any further.
6. In view of the fact that the proceedings emanate out of a matrimonial discard and the parties have fully and finally settled their disputes and the respondent No.2 has stated that she does not wish to press the complaint any further and the fact that the parties have already been divorced by way of a decree of divorce by mutual consent, passed on 12th March, 2018, 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.

7. In view of the above, FIR No. 100/2016 under Sections 498A/406/34 IPC, registered at Police Station, Dabri and the consequent proceedings emanating there from are quashed.

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

AUGUST 27, 2018
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SANJEEV SACHDEVA, J

नस्यमेव जयते