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

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Judgment delivered on:11.10.2018

+ CRL.M.C. 5219/2018

KAPIL KUMAR & ORS

..... Petitioners

versus

THE STATE GOVT. OF NCT OF
DELHI & ANR

..... Respondents

Advocates who appeared in this case:

For the Petitioner : Ms. Reena Singh, Adv. with petitioners in person.

For the Respondents : Mr. Sanjeev Sabharwal, Addl. PP for the State with
SI Dhan Singh
Mr. Deepak Sharma, Adv. for R-2 with R-2 in
person.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

11.10.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl. M.A. 34089/2018 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 5219/2018

1. Petitioners seek quashing of FIR No. 267 of 2013 under Sections 498A/406/34 IPC registered at Police Station Sabzi Mandi,

Delhi, based on a settlement.

2. Subject FIR emanates out of matrimonial discord.

3. Learned counsel for the petitioners submits that parties have settled their disputes and settlement dated 31.01.2018 has been arrived at between the parties before Delhi Mediation Centre, Tis Hazari Courts, Delhi. Parties have amicably dissolved their marriage by mutual consent and decree of divorce dated 07.09.2018 has been passed.

4. The respondent No.2 is present in person, represented by her counsel and is 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.

5. In view of the fact that the proceedings emanate out of a matrimonial discord 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, passed on 07.09.2018, 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.

6. In view of the above, the petition is allowed. FIR No. 267 of 2013 under Sections 498A/406/34 IPC registered at Police Station Sabzi Mandi, Delhi and the consequent proceedings emanating therefrom are quashed.

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

OCTOBER 11, 2018
'rs'

SANJEEV SACHDEVA, J

