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

+ **CRL.M.C. 5434/2017**

SANJAY & ANR.

..... Petitioners

Through : Mr I.A.Khan, Advocate for P-1 & 2.

versus

STATE & ANR

..... Respondents

Through : Ms Anita Abraham, Addl. PP for the
State.

SI Om Veer Singh, PS Nand Nagri.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **06.02.2018**

Crl. M.A. 21209/2017(exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 5434/2017

1. By this petition, the petitioner seeks quashing of FIR No.152 /2004 under Sections 406/498A/34 IPC, Police Station Nand Nagari.

2. The subject FIR emanates out of matrimonial discord. Petitioner No.1 was the husband of respondent No.2.

3. Parties have settled their dispute. The Settlement Deed dated 27.11.2017 has been executed between the parties.

4. Respondent No.2 is present in Court in person, is represented by counsel and identified by the Investigating Officer. She confirms that the settlement has taken place and further that the marriage between the parties has been dissolved by way of decree of divorce on 07.01.2006. A total sum of Rs.30,000/- was agreed to be paid to respondent No.2 towards all her claims in full and final settlement. A sum of Rs.10,000/- has already been paid and balance amount of Rs.20,000/- has been paid in cash today in the Court, which is accepted by respondent No.2.

5. In view of the above and keeping in view of the fact that the FIR emanates from matrimonial discord and the parties have resolved their dispute through a Settlement Deed dated 27.11.2017 and respondent No. 2 does not wish to press her complaint, 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. Accordingly, FIR No.152 /2004 under Sections 406/498A/34 IPC, Police Station Nand Nagari and the consequent proceedings emanating therefrom are hereby quashed.

7. Order Dasti under signatures of Court Master.

FEBRUARY 06, 2018/ॐ

SANJEEV SACHDEVA, J