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

+ **CRL.M.C. 5467/2017**

AMIT

..... Petitioner

Through: Mr. V.K Raghav, Adv.

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Through: Mr. Akshai Malik, Addl. PP for the
State with SI Surekha
Ms. Leena Suman and Mr. D.P.
Shukla, Advs. complainant

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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24.01.2018

Crl. M.A. 21310/2017 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 5467/2017

1. The petitioner seeks quashing of FIR No. 753 of 2015 under Sections 498A/406/34 of the IPC Police Station Malviya Nagar, New Delhi. 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 01.03.2017 has been passed. A total sum of Rs. 1,20,000/- has been agreed to be paid to respondent no. 2. A sum of Rs. 80,000/- has already been paid and the balance sum of Rs. 40,000/- (in cash) has been paid to respondent no. 2 today in the Court. The

receipt of the said amount is acknowledged by the 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 submits that she has settled the dispute with the petitioner and is agreeable to the settlement and does not wish to press the criminal charges against the petitioner any further. It is further submitted on behalf of the parties that parties had entered into the settlement on 29.02.2016 before the Delhi Mediation Centre, Saket Courts, New Delhi.

4. In view of the fact that the disputes between the petitioner 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. 753 of 2015 under Sections 498A/406/34 of the IPC Police Station Malviya Nagar, New Delhi and the consequent proceedings therefrom are, accordingly quashed.

6. Order Dasti under signatures of the Court Master.

SANJEEV SACHDEVA, J

JANUARY 24, 2018

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