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

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**CRL.M.C. 5389/2017**

**AVTAR SINGH & ORS**

..... Petitioners

Through : Mr Praveen Suri, Advocate.

versus

**STATE (NCT OF DELHI) & ANR**

..... Respondents

Through : Mr Mukesh Kumar, APP.

Ms Neha Tyagi, Advocate for R-2.

SI Anand Prakash, PS Khyala, Delhi.

**CORAM:**

**HON'BLE MR. JUSTICE SANJEEV SACHDEVA**

**ORDER**

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**30.01.2018**

**Crl.M.A.21062/2017(exemption)**

Allowed, subject to all just exceptions.

**CRL.M.C. 5389/2017**

1. By this petition, the petitioner seeks quashing of FIR No.13/2012 under Section 498A/406/34 IPC, Police Station Khyala.

2. The subject FIR emanates out of matrimonial discord. Petitioner No.1 was the husband of respondent No.2. Petitioner Nos.2 & 3 are the parents of petitioner No.1. Petitioner Nos.4 & 5 are the brother and sister of petitioner No.1 respectively.

3. Parties have settled their dispute. The Settlement Deed/Memorandum of Understanding dated 21.11.2016 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 mutual consent on 19.12.2016. A total sum of Rs.1 lakh was agreed to be paid to respondent No.2 in full and final settlement of all her claims. A sum of Rs.50,000/- lakhs has already been paid and balance amount of Rs.50,000 has been paid by way of Demand Draft bearing No.093970 dated 11.12.2017 issued by Canara Bank, Ganesh Nagar, New Delhi-110018, which is accepted in the Court today.

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 the Settlement Deed/Memorandum of Understanding dated 21.11.2016 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.13/2012 under Sections 498A/406/34 IPC, Police Station Khyala and the consequent proceedings emanating therefrom are hereby quashed.

7. Order Dasti under signatures of Court Master.

**JANUARY 30, 2018/§p'**

**SANJEEV SACHDEVA, J**