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

+ **CRL.M.C. 5524/2017**

MOHD.SHAFI & ORS.

..... Petitioners

Through : Mr M.Naushad, Advocate.

versus

THE STATE (N.C.T OF DELHI) & ORS

..... Respondents

Through : Mr Arun Kumar Sharma, APP.
SI Mohd. Safi and ASI Liyakat Ali,
PS Sangam Vihar.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **22.01.2018**

Crl. M.A. 21465/2017(exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 5524/2017

1. By this petition, the petitioner seeks quashing of FIR No.795/2015 under Sections 498A/406/34 IPC, Police Station Sangam Vihar.

2. The subject FIR emanates out of a matrimonial discord. Petitioner No.1 was married to respondent No.2. Petitioner No.2 is the mother of petitioner No.1 and petitioner Nos.3 & 4 are the brother-in-law and sister of petitioner No.1. Mrs Kanno is the aunt of

petitioner No.1.

3. Learned counsels for the parties submit that the parties have settled their dispute through the process of counselling before the Family Court, Saket Court Complex, New Delhi.

4. As per the settlement, a sum of Rs.2,10,000/- was to be paid to respondent No.2, out of which a sum of Rs.1,10,000/- has already been paid. The balance sum of Rs.1 lakh has been deposited with the Family Court, Saket Court Complex.

5. 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 she does not wish to prosecute the complaint any further.

6. 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 process of counselling before the Family Court, Saket Court Complex, New Delhi, 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.

7. Accordingly, FIR No.795/2015 under Sections /498A/406/34

IPC, Police Station Sangam Vihar and the consequent proceedings emanating therefrom are hereby quashed.

8. The amount of Rs.1 lakh deposited with the Family Court at Saket is directed to be released to respondent No.2.

9. Order Dasti under signatures of Court Master.

SANJEEV SACHDEVA, J

JANUARY 22, 2018

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