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IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CRL.M.C. 1849/2011

AVINASH JAIN & ANR

Through

..... Petitioner

Mr. Rakesh K. Sharma, with Ms.
Sakshi Manchanda and Ms. Sonal
Jain, Advocates

versus

STATE & ANR

Through

..... Respondent

Ms. Jasbir Kaur, APP for State
Mr. Alok Sharma, Advocate for R-2

CORAM:

HON'BLE MR. JUSTICE M.L. MEHTA

ORDER

15.11.2011

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This is a petition for quashing of FIR No. 444/2004 PS Kotwali under Sec. 406/498A/34 IPC. The Petitioner and the respondent No.2 are present with their respective counsel. The petitioner and respondent were married at Delhi. However, there was matrimonial discord which they have settled amicably through Mediation Centre Tis Hazari Courts. The report of the mediation dated 18th March, 2011 is placed on record.

The petitioner herein has filed a petition for divorce against the respondent Simmi Jain and got an ex parte decree of divorce against her. The respondent, Simmi Jain has accepted the finality of the same. In pursuance of the agreement a demand draft of Rs.15 lacs has been given by the petitioner to the respondent Simmi Jain today before the court.

Since the parties have arrived at a settlement, no useful purpose will be served by continuing with the FIR No. 444/2004 PS Kotwali under Sec. 406/498A/34 IPC. Consequently, the FIR No. 444/2004 PS Kotwali under Sec. 406/498A/34 IPC and all the proceeding emanating therefrom

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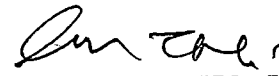
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are hereby quashed.

Needless to say, the aforesaid settlement arrived at between the parties is without prejudice to the rights of their child Master Arth who is in the custody and care of his mother i.e., Simmi the respondent here.

The petition stands disposed of.

Order dasti.


M.L. MEHTA, J

NOVEMBER 15, 2011
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