

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

*Date of Decision: January 15, 2015*

+ **CRL.M.C. 1174/2014 & Crl.M.A.3930/2014**

AMBICA

..... Petitioner

Through: Mr. Sanjeev Kr. Baliyan, Advocate

versus

STATE & ANR

.....Respondents

Through: Ms. Nishi Jain, Additional Public  
Prosecutor for respondent-State  
with SI Rajesh  
Mr. P.K. Maitra, Advocate for  
respondent No.2

**CORAM:**

**HON'BLE MR. JUSTICE SUNIL GAUR**

**JUDGMENT**  
**(ORAL)**

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Learned counsel for petitioner, on instructions, undertakes that application for withdrawal of the divorce petition now pending before Family Court of Ms. Reena Nag for 20<sup>th</sup> February, 2015 would be withdrawn by filing an application within a week.

Learned counsel for the parties submit that in the petition for grant of divorce by mutual consent, the first motion has been granted on 5<sup>th</sup> June, 2013 and the parties would be now filing a joint petition for grant of second motion within a week from today.

Let the parties file joint petition for quashing of the FIRs i.e. FIR No.226/2011 and FIR No.680/2014 after the divorce by mutual

consent is obtained by the parties. Learned counsel for petitioner on instructions from father of petitioner undertakes that father of petitioner would make a supplementary statement before the Investigating Officer of this case after the divorce by mutual consent is granted and he would give no objection to the closure of proceedings arising out of the FIRs in question so that a closure report can be filed in the said FIRs. Till then, the proceedings in the said FIRs be kept in abeyance.

Petitioner as well as respondent has placed on record their affidavits to abide by the *Settlement Agreement* of 17<sup>th</sup> January, 2013 (*Annexure A-2*) in its true letter and spirit. Needless to say that the parties shall make their supplementary statements in aforesaid FIR cases within two weeks of grant of divorce by mutual consent.

While taking on record the aforesaid undertaking tendered by both the sides, this petition is disposed of. It is made clear that if either side defaults, then the opposite party would have a right to get this petition revived.

With aforesaid directions, this petition and the application are disposed of.

Copy of this order be given *dasti* to counsel for the parties.

**(SUNIL GAUR)**  
**JUDGE**

**JANUARY 15, 2015**

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