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

+ W.P.(CRL) 1489/2015

KAMAL DEEP KAUR

..... Petitioner

Through: Mr.Vikram Prateek, proxy counsel
along with petitioner in person

versus

STATE & ANR

..... Respondents

Through: Ms. Radhika Gupta, proxy counsel
with SI Daljeet Singh, PS CWC, Nanak Pura
along with respondent No.2 in person

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

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24.07.2015

Lawyers are abstaining from work.

CRL.M.A. 10381/2015

Exemption granted subject to all just exceptions.

Application stands disposed of.

W.P.(CRL) 1489/2015

The petitioner and respondent No.2 are present.

A prayer has been made on behalf of the petitioner to direct respondent No.1 to immediately release the FDR, which was deposited by respondent No.2 with the I.O., to the petitioner.

The petitioner had filed a case against respondent No.2 because of some matrimonial dispute having arisen between them. Subsequently,

respondent No.2 was granted bail subject to his depositing a FDR of Rs.10 lac in the name of the petitioner with Investigating Officer of the case.

During the pendency of other cases, the dispute between the petitioner and respondent No.2 was resolved amicably and a Memorandum of Understanding was drafted on 27.9.2014.

As per the agreement, a joint petition for divorce by mutual consent has also been filed before the competent court.

Respondent No.2, who appears in person has no objection to the FDR of Rs.10 lac deposited with the Investigating Officer to be released in the favour of petitioner.

Learned proxy counsel for the petitioner on instructions from the I.O. of this case submits that the FDR which was deposited with the I.O. has been deposited in the court at Dwarka.

The Investigating Officer is directed to make arrangements for the above noted FDR to be returned to the petitioner within a period of two weeks from the date of passing of this order. The court below, where the proceedings are pending, is directed to release the FDR to the Investigating Officer concerned on his application so that the order passed by this Court is complied with.

The petition is accordingly disposed of.

Dasti.

ASHUTOSH KUMAR, J

JULY 24, 2015

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