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

+ CRL.M.C. 216/2017

BRIJ MOHAN SAGAR & ANR Petitioners
Through Mr. Ritesh Bahri and Mr. Vinesh
Kumar, Advs.

versus

STATE & ANR. Respondents
Through Mr. Izhar Ahmad, APP
Mr. Sandeep Singh, Adv. with
respondent no. 2 in person

CORAM:
HON'BLE MR. JUSTICE A.K. PATHAK

% **ORDER**
23.07.2018

Crl. M.A. No. 28340/2018 (condonation of delay)

Delay condoned. Application is disposed of.

Crl. M.A. No. 28339/2018 (exemption)

Allowed, subject to all just exceptions. Application is disposed of.

Crl. M.A. No. 28338/2018 (restoration)

Respondent no. 2 is present in Court along with her counsel. She says that she has no objection in case Crl. M.C. no. 216/2017 is restored at its original number. Application is allowed. Petition is restored at its original number.

Application is disposed of in the above terms.

Crl. M.C. no. 216/2017

Counsels for the petitioners and respondent no. 2 have jointly prayed for taking up the petition today itself. With the consent of parties, petition is taken up today.

Respondent no. 2 submits that she has settled the matter with the petitioners of her own free will and without any undue force, pressure or coercion before the Delhi Mediation Centre, Saket Courts, New Delhi on 30th August, 2014. Respondent no. 2 submits that she has no objection in case FIR No.595/2007 under Sections 406/498-A/34 IPC registered at Police Station Mehrauli and the consequent proceedings emanating therefrom are quashed against the petitioners. Her marriage with petitioner no.1 has already been dissolved by a decree of divorce by mutual consent dated 9th January, 2018 passed by the Family Courts, South District, Saket Courts, New Delhi. Petitioner no. 1 has paid ₹3,00,000/- to the respondent no. 2, vide a demand draft, photocopy whereof has been placed on record. Respondent no. 2 says that entire settled amount stands paid with this payment and she has no objection in case FIR is quashed against the petitioners. Affidavit of respondent no. 2 is on record at page 11.

Keeping in mind the settlement arrived at between the petitioners and respondent no. 2 voluntarily, in my view, no fruitful purpose would be served to keep the criminal proceedings pending. Accordingly, in the interest of justice, FIR No.595/2007 under Sections 406/498-A/34 IPC registered at Police Station Mehrauli and the consequent proceedings emanating therefrom are quashed.

Petition is disposed of in the above terms. Dasti.

A.K. PATHAK, J.

JULY 23, 2018
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