

\$~4

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

+ **CRL.M.C. 682/2017**

YOGESH SHARMA & ORS

..... Petitioners

Through: Ms. Nimisha, Adv. along with
petitioner no.1 in person.

versus

STATE (GOVT OF NCT OF DELHI) & ORS Respondents

Through: Ms. Meenakshi Chauhan, APP for
State with SI Awadh Kishor, P.S.
Bindapur.

Mr. Rakesh Sharma, Adv. for R-2
along with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

%

03.08.2017

It is submitted that petitioner no.1 and respondent no.2 have settled their disputes amicably, therefore, FIR No. 236/11 under Sections 498-A/406/34 IPC registered at police station Binda Pur on the complaint of respondent no.2, may be quashed. Petitioner nos. 2 to 5 are relatives of petitioner no.1

Respondent no.2 is present in Court along with her counsel and has been identified by SI Awadh Kishor of police station Bindapur. She admits having settled the matter with the petitioner no.1 of her own free will and without any undue pressure, force or coercion. She further submits that she has already received ₹3 lacs out of the total settled amount of ₹4.5 lacs. In

terms of the settlement, petitioner no.1 has paid ₹1.50 lacs to the respondent no.2 today in Court by way of a demand draft, photocopy whereof has been placed on record. Respondent no.2 submits that her marriage with the petitioner no.1 has already been dissolved by a decree of divorce by mutual consent passed by the Family Courts, Dwarka, New Delhi on 26th July, 2016. She has no objection in case the FIR is quashed.

Keeping in mind that petitioner no.1 and respondent no. 2 have decided to part their ways and have, in fact, obtained a decree of divorce by mutual consent and the fact that respondent no.2 has no objection in quashing of the FIR, in the interest of justice, FIR No. 236/11 under Sections 498-A/406/34 IPC registered at police station Binda Pur and the consequent proceedings emanating therefrom are quashed.

Petition is disposed of in the above terms. Miscellaneous application is disposed of as infructuous.

A.K. PATHAK, J.

AUGUST 03, 2017

ga