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

+ **CRL.M.C. 683/2017**

SMT NIDHI VERMA Petitioner

Through: Petitioner in person.

versus

STATE & ANR. Respondent

Through: Mr. Ashok Kumar Garg, APP for the State.
Ms. Archana Gaur and Mr. Sneh Kumar Tyagi,
Advocates with respondent No. 2.

CORAM:

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

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11.08.2017

Crl. M. C. 683/2017

By the present petition under Section 439 (2) Cr.PC, the petitioner seeks cancellation of bail granted to the respondent No. 2 vide dated 04.01.2017 passed by Metropolitan Magistrate, Karkardooma Courts, New Delhi in case FIR No. 457/2016 under Section 498A/406/34 IPC registered at Police Station – Preet Vihar.

Both the parties have resolved their disputes and arrived at a settlement vide Memorandum of Understanding dated 26.07.2017. Statements of the parties were recorded on 26.07.2017 separately wherein the petitioner desired to withdraw the present petition in terms of the aforesaid settlement.

Accordingly, the present petition is dismissed as withdrawn.

Crl. M. A. 11009/2017 (Permission to leave country)

This is an application under Section 482 Cr.PC filed by the applicant/respondent No. 2 seeking permission to leave country on the ground that he is working in Denmark on Employment Visa and he will lose his job if he does not join his duties immediately.

Heard.

The parties have arrived at a settlement vide Memorandum of Understanding dated 26.07.2017. As per the settlement, the respondent No. 2 has to pay Rs.39,00,000/- to the petitioner herein towards all her claims. Rs.20,00,000/- has already been received by the petitioner which she acknowledges in Court. First motion for divorce has been granted to the parties vide order dated 09.08.2017 passed by the Principal Judge, Family Court, East, Karkardooma Court, Delhi. For the second motion, the parties have to appear before the concerned Court after six months.

In the given facts and circumstances of the present case, respondent No. 2 is permitted to travel Denmark subject to :

- i) The respondent No. 2 shall abide by the terms and conditions contained in Memorandum of Understanding dated 26.07.2017;
- ii) That the respondent No. 2 shall return to India on or before 15.02.2018 to proceed with the second motion for divorce;
- iii) that respondent No. 2 shall appear before the concerned Registrar of this Court along with his father today i.e. 11.08.2017, who shall stand surety for him to the tune of Rs.25,00,000/-;
- iv) that the amount of the surety shall stand forfeited in case the respondent does not abide by the aforesaid conditions.

Copy of the order be given dasti to both the parties under the signature of Court Master.

SANGITA DHINGRA SEHGAL, J

AUGUST 11, 2017

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