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

+ CRL.M.C. 3487/2016 & CrI. M.A. no. 8141/2017, 14726/2016,
14728/2016

CHANDAN KUMAR

..... Petitioner

Through : Mr. Yashish Chandra and Mr. Sahil
Sud, Advs. with petitioner in person.

versus

GOVERNMENT OF NATIONAL CAPITAL
TERRITORY OF DELHI & ANR

..... Respondents

Through :Mr. G.M. Farooqui, APP with SI
Yogesh Kumar, P.S. Malviya Nagar
for the respondent no. 1
Mr. Puneet Agarwal, Adv. with
respondent no. 2 in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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07.07.2017

CRL.M.C. 3487/2016

It is submitted that petitioner and respondent no. 2 have settled their disputes amicably before Counselling Cell, Family Courts, Saket, New Delhi, inasmuch as marriage between the parties has already been dissolved by a decree of divorce by mutual consent on 3rd December, 2015; therefore, FIR No. 25/2008 under Sections 498-A/406/34 IPC registered at Police

Station Malviya Nagar, on the complaint of respondent no. 2, may be quashed. Respondent no. 2 is present in Court along with her counsel and has been identified by SI Yogesh Kumar, P.S. Malviya Nagar. Respondent no. 2 admits having settled the matter with the petitioner of her own free will and without any undue force, coercion and pressure. She further admits having received ₹5,00,000/- from the petitioner. Petitioner has paid ₹3,20,000/- (₹3,00,000/- towards balance settled amount + ₹20,000/- towards cost imposed vide order dated 16th May, 2017) to the respondent no. 2 vide two cheques, photocopies whereof have been placed on record. Cheques have been accepted by the respondent no. 2, subject to realization. Respondent no. 2 further submits that she has already withdrawn the domestic violence petition as well as petition under Section 125 Cr.P.C.

Keeping in mind the settlement arrived at between the parties and that marriage between the petitioner and respondent no. 2 has already been dissolved, no fruitful purpose would be served to keep the criminal proceedings pending. Accordingly, FIR No. 25/2008 under Sections 498-A/406/34 IPC registered at Police Station Malviya Nagar and the consequent proceedings emanating therefrom are quashed, subject to realization of the cheques handed over by the petitioner to the respondent no. 2 in Court.

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

A.K. PATHAK, J.

JULY 07, 2017

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