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

+ CRL.M.C. 2940/2017

MOHIT BHATIA & ORS

..... Petitioners

Through

Mr. Prashant Manchanda, Mr. Ankit
Khanna and Mr. Asif Zamir, Advs.

Versus

STATE (GOVT OF NCT OF DELHI) & ANR

..... Respondents

Through

Ms. Meenakshi Chauhan, APP with
SI Parkash and SI Pawan Kumar, P.S.
Kalkaji for the State
Mr. Neeral Kumar Gupta, Adv. with
respondent no. 2 in person

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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13.11.2017

Respondent no. 2 Yashhika is present in Court along with her counsel and has been identified by SI Parkash of Police Station Kalkaji. Respondent no. 2 admits having settled the matter with petitioner no.1 before the learned Single Judge of this Court on 3rd September, 2015, during hearing of the Bail Application no. 23/2015 titled Mohit Bhatia vs. State Govt. of NCT of Delhi. Copy of the order dated 3rd September, 2015 is annexed with the petition as 'Annexure P-2'. Respondent no. 2 says that her marriage with the petitioner no.1 has already been dissolved by a decree of divorce by mutual consent vide order dated 20th October, 2016 passed by the Family Court, South-East District,

Saket, New Delhi. She further says that she has settled the matter with the petitioner no. 1 of her own free will, voluntarily and without any undue force, pressure or coercion. Respondent no. 2 submits that she has already received ₹15,00,000/- from the petitioner no. 1, out of total settled amount of ₹20,00,000/-. Petitioner no. 1 has paid ₹5,00,000/- to the respondent no. 2 in Court today by way of a cheque, photocopy whereof has been placed on record. Respondent no. 2 has accepted this payment, subject to encashment of the cheque. Petitioner no. 1 has assured that aforesaid cheque would be honoured on presentation. She submits that she is not willing to pursue the FIR any further against the petitioner no. 1 and his relatives, that is, petitioner no. 2 to 4 and the same may be quashed.

Keeping in mind the facts and circumstances as detailed above, more particularly, the fact that marriage of petitioner no. 1 and respondent no. 2 has already been dissolved by a decree of divorce by mutual consent, in the interest of justice, FIR No.630/2014 under Sections 498-A/406/34 IPC registered at Police Station Kalkaji and the consequent proceedings emanating therefrom are quashed, subject to encashment of the aforesaid cheque.

Petition is disposed of in the above terms. Dasti.

A.K. PATHAK, J.

NOVEMBER 13, 2017

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