

\$~60

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

+ **CRL.M.C. 2810/2017**

DEEPAK & ORS

..... Petitioners

Through: Mr. Shafiqullah, Adv. along with
petitioners in person.

versus

STATE NCT OF DELHI & ANR

..... Respondents

Through: W/SI Rajinder Kaur, CAW Cell New
Delhi District.

Mr. Abrar Ahmed, Adv. for R-2 along
with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

%

24.07.2017

It is submitted that petitioner no.1 and respondent no.2 have settled their disputes amicably, therefore, FIR No. 158/2009 under Sections 498-A/406/34 IPC registered at police station Barakhamba Road may be quashed.

Respondent no.2 is present in Court with her counsel. She has been identified by W/SI Rajinder Kaur of CAW Cell New Delhi District. She submits that she has settled the matter with the petitioners of her own free will and without any undue force, pressure or coercion vide Memorandum of Understanding dated 1st August, 2016. She further submits that her marriage with petitioner no.1 has already been dissolved by a decree of

divorce by mutual consent on 13th April, 2017. Petitioner no.1 has paid ₹25,000/- by way of a demand draft to the respondent no.2 today in Court towards balance settled amount, photocopy whereof has been placed on record. Respondent no.2 submits that with this payment entire settled amounts stands paid. She further submits that she is not willing to pursue the FIR any further and the same may be quashed.

Keeping in mind that petitioner no.1 and respondent no.2 have decided to part their ways, inasmuch as, have obtained a decree of divorce by mutual consent and the fact that respondent no.2 is not interested in pursuing the FIR, in the interest of justice, FIR No. 158/2009 under Sections 498-A/406/34 IPC registered at police station Barakhama Road and the consequent proceedings emanating therefrom are quashed.

Petition is disposed of in the above terms.

A.K. PATHAK, J.

JULY 24, 2017

ga