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

+ CRL.M.C. 2978/2017 & CrI. M.A. No. 12348/2017

DHEERAJ KATHURIA & ORS Petitioners

Through : Mr. Gaurav Sarawat, Adv.

versus

THE STATE NCT OF DELHI & ANR Respondents

Through :Mr. G.M. Farooqui, APP with SI
Pramod Kumar, P.S. Shalimar Bagh
for respondent no. 1

Mr. C.M. Sangwan, Adv. with
respondent no. 2 in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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02.08.2017

It is submitted that petitioner no.1 and respondent no.2 have settled their disputes amicably, therefore, FIR No. 1056/2014 under Sections 498-A/406/34 IPC registered at police station Shalimar Bagh on the complaint of respondent no.2 may be quashed. Petitioner nos. 2 and 3 are relatives of petitioner no.1.

Respondent no.2 is present in Court with her counsel and has been identified by SI Pramod Kumar, P.S. Shalimar Bagh. Respondent no.2 admits having settled the matter with the petitioners of her own free will and

without any undue force, pressure or coercion. She submits that she has already received ₹3,50,000/- out of total settled amount of ₹7,00,000/-. Respondent no. 2 further submits that first motion has already been accepted by the Family Court and second motion will be filed in the month of September, 2017. Petitioner no. 1 submits that he will pay ₹3,50,000/- at the time of second motion. He also undertakes to sign the second motion and cooperate with the respondent no. 2 in filing of the same. Petitioner no. 1 further submits that FIR may be quashed, subject to his signing second motion and cooperating with the respondent no. 2 as well as paying the balance amount of ₹3,50,000/- to the respondent no. 2 at the time of second motion. Respondent no. 2 submits that she has no objection in case FIR is quashed, subject to petitioner no. 1 cooperating in filing of the second motion and acceptance thereof by the Court.

Keeping in view of the fact that settlement has been arrived at between the petitioner no. 1 and respondent no.2, in the interest of justice, FIR No. 1056/2014 under Sections 498-A/406/34 IPC registered at police station Shalimar Bagh, which is at the investigation stage, is quashed, subject to, however, petitioner no. 1 cooperating with respondent no. 2 at the time of second motion and paying her ₹3,50,000/- before the Family Court.

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

A.K. PATHAK, J.

AUGUST 02, 2017
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