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

+ CRL.M.C. 3262/2017 & Crl. M.A. nos. 13403-04/2017

GAURAV ROHILLA & ORS

..... Petitioners

Through : Mr. M.S. Oberoi, Adv.

versus

STATE & ANR

..... Respondents

Through :Mr. G.M. Farooqui, APP with SI
Awadh Kishor, P.S. Binda Pur for
respondent no. 1
Respondent no. 2 in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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21.08.2017

It is submitted that petitioner no. 1 and respondent no. 2 have settled their disputes amicably before the learned Metropolitan Magistrate, Mahila Court – 03, Dwarka Court, New Delhi on 20th July, 2015; therefore, FIR No.351/2012 under Sections 498-A/406 IPC registered at Police Station Binda Pur on the complaint of respondent no. 2, may be quashed. It is further submitted that a joint statement of petitioner no. 1 and respondent no. 2 was recorded by the learned Metropolitan Magistrate, Delhi on 20th July,

2015. Photocopy of certified copy of the joint statement has been placed on record as 'Annexure D'. It is further submitted that a Deed of Settlement was also entered into between the petitioner no. 1 and the respondent no. 2 on 20th July, 2015 and photocopy whereof has been placed on record at pages 48 to 52. Respondent no. 2 is present in Court and has been identified by SI Awadh Kishor, P.S. Binda Pur. Respondent no. 2 submits that her marriage with petitioner no. 1 has already been dissolved by a decree of divorce by mutual consent dated 6th April, 2017 passed by the Family Court, Dwarka Court, New Delhi. Petitioner no. 1 has paid ₹1,00,000/- to the respondent no. 1 vide a demand draft towards the balance settled amount, photocopy whereof has been placed on record. Respondent no. 2 further submits that with this payment, entire settled amount stands paid. Respondent no. 2 further submits that she has settled the matter with the petitioners of her own free will and without any undue force, pressure or coercion and she has no objection in case FIR is quashed.

Keeping in view the settlement arrived at between petitioners and respondent no.2, in the interest of justice, FIR No. 351/2012 under Sections 498-A/406 IPC registered at Police Station Binda Pur and the consequent proceedings emanating therefrom are quashed.

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

A.K. PATHAK, J.

AUGUST 21, 2017

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