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

+ **CRL.M.C. 3487/2017**

NANDKISHORE

..... Petitioner

Through: Mr. Anuj Sarin, Adv.

versus

STATE (NCT OF DELHI) & ANR.

..... Respondents

Through: Ms. Meenakshi Chauhan, APP with
SI Jai Chand, P.S. Mukherjee Nagar.

Mr. Ashok Kumar, Adv. for R-2
along with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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31.08.2017

It is submitted that petitioner and respondent no.2 have settled their disputes amicably, therefore, FIR No. 388/12 under Section 498-A IPC registered at police station Mukherjee Nagar on the complaint of respondent no.2 may be quashed.

Respondent no.2, who is present with her counsel, has been identified by SI Jai Chand of police station Mukherjee Nagar. She admits having settled the matter with the petitioner of her own free will and without any undue force, pressure or coercion. She further submits that her marriage with the petitioner has already been dissolved by a decree of divorce by mutual consent passed by the Family Court on 6th October, 2016. In view of

the settlement, petitioner has paid balance settled amount of ₹3.20 lacs (₹3 lacs through demand draft + ₹20,000/- in cash) to the respondent no.2 today in Court. Respondent no.2 submits that with this payment entire settled amount stands paid and she is not willing to pursue the FIR any further and the same may be quashed. Respondent no.2 further submits that since entire settled amount stands paid she will withdraw the complaint case under Section 138 of the Negotiable Instruments Act, 1881, filed by her, from the concerned Metropolitan Magistrate, Delhi in respect of dishonoured cheque of ₹20,000/-. Respondent no.2 shall remain bound by her statement.

Keeping in mind that marriage between the petitioner and respondent no.2 has already been dissolved, inasmuch as, respondent no.2 does not wish to pursue the FIR any further, in the interest of justice, FIR No. 388/12 under Section 498-A IPC registered at police station Mukherjee Nagar and the consequent proceedings emanating therefrom are quashed.

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

A.K. PATHAK, J.

AUGUST 31, 2017/ga

CRL. M.C. 1226/2015 &

CRL. M.C. 3251/2015

Statement of Shri Dheeraj Singh S/o Late Shri Dalbir Singh, Aged 34 years

R/o I-58/33, Gali No. 33, Raja Puri, Uttam Nagar, New Delhi.

On S.A.

I have filed W.P. (Crl.) 640/2015 titled Dheeraj Singh vs. Commissioner of Police & Ors. and Crl. Rev. P. 200/15 titled Dheeraj Singh vs. State which are pending in this Court. Since I have settled all the disputes with the other persons involved in Crl. M.C. 1226/2015 and Crl. M.C. 3251/2015, I undertake to withdraw above-mentioned cases, filed by me, within two weeks.

I have given the above statement voluntarily and without any undue force, pressure or coercion.

RO & AC

A.K. PATHAK, J.

AUGUST 31, 2017

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