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

+ **CRL.M.C. 3593/2017**

SUNIL RAJ BARISHATH

..... Petitioner

Through: Mr. Sanjay Kumar, Adv. along with
petitioner in person.

versus

THE STATE GOVT OF NCT OF DELHI & ANR Respondents

Through: Mr. Amit Gupta, APP for State with
ASI Devender Singh, P.S. South
Rohini.

Ms. Ankita Verma, Adv. for R-2 with
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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10.11.2017

Respondent no.2-Vinita Kumari is present in Court along with her counsel and has been identified by ASI Devender Singh of police station South Rohini. She submits that she has settled the matter with the petitioner vide Settlement Deed dated 4th September, 2017. She further submits that her marriage with petitioner has also been dissolved by an ex-parte decree of divorce on the ground of cruelty. She admits having received the entire settled amount, that is, ₹20,000/-. She submits that ₹50,000/- has been typed out inadvertently in the Settlement Deed. She has no objection in case FIR is quashed. Petitioner is also present in Court. He states that he has accepted the ex-parte decree of divorce. Learned counsel for the petitioner

and respondent no.2 submit that petitioner as well as respondent no.2 has re-married.

Keeping in mind that marriage between the petitioner and respondent no.2 has already been dissolved and respondent no.2 has no objection in quashing of the FIR, in the interest of justice, FIR No. 446/2002 under Sections 498-A/406/34 IPC registered at police station Rohini and the consequent proceedings emanating therefrom are quashed.

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

Dasti.

A.K. PATHAK, J.

NOVEMBER 10, 2017

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