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

+ **CRL.M.C. 3789/2017**

JYOTI ASNANI

..... Petitioner

Through: Mr. D.S. Chauhan and Mr. M.K. Vashisht, Advs. with petitioner in person.

versus

THE STATE & ORS

..... Respondents

Through: Ms. Manjeet Arya, APP with SI Manju Chahar, P.S. Dwarka North.
Ms. Neelam Rathore and Ms. Pooja Sharma, Advs. for R-2.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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06.12.2017

Crl. M.A. 19921/2017

Allowed, subject to all just exceptions.

Application is disposed of.

Crl. M.A. 19920/2017 (u/Sec. 482 Cr.P.C.)

Present FIR No. 655/2015 was quashed by this Court, subject to respondent no.2 appearing before the Family Court, Indore at the time of second motion and giving his consent, inasmuch as, paying ₹8 lacs to the petitioner as well as withdrawing criminal complaint filed by him at Indore Court against the petitioner and her relatives. It was made clear that in case

respondent no.2 fails to honour his undertaking given today FIR shall stand revived.

As regards criminal complaints are concerned, it is submitted that respondent no.2, his father (respondent no. 3) and sister (respondent no. 4) have already withdrawn complaints filed by them at Indore Court. It is further submitted that respondent no.2 could not prepare demand draft of ₹8 lacs though he was carrying a cheque of the said amount. It is further submitted that second motion was dismissed by the Indore Court on account of disputes regarding payment of ₹8 lacs. Learned counsel for the respondent no.2 submits that demand draft of ₹8 lacs is ready and will be tendered to the petitioner at Indore Court after getting the second motion revived. It is also submitted that a join application for revival of second motion would be prepared and filed at Indore Court within two weeks.

Learned counsel for the petitioner submits that petitioner had visited the Indore Court and incurred expenses, therefore, she may be compensated. Learned counsel for the respondent no.2 submits that respondent no.2 shall pay ₹25,000/- to the petitioner in order to compensate her towards expenses incurred by her for going to Indore. Learned counsel for the petitioner further submits that petitioner would attend the Indore Court proceedings

and cooperate with respondent no.2.

In view of the above submission of the parties, one more opportunity is granted to respondent no.2 to comply his commitment within four weeks from today. Compliance be informed to the Investigating Officer immediately after expiry of four weeks.

Application is disposed of in the above terms.

Dasti.

A.K. PATHAK, J.

DECEMBER 06, 2017

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