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

+ CRL.M.C. 3864/2017 & CRL MA 15595/2017

MADAN SINGH RATHORE & ORS Petitioners

Through Mr. Pramod Sharma, Adv

versus

THE STATE & ANR Respondents

Through APP for State with SI Arun Negi,
PS Dwarka (South)

CORAM:
HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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21.11.2017

Petitioners have prayed for quashing of FIR No.13/2012 under sections 498-A/406/34 IPC registered at police station Dwarka (South) on the complaint of respondent no.2. It is submitted that petitioner no.1 and respondent no.2 have settled their disputes amicably vide settlement deed dated 1st July, 2014 (Annexure B).

Respondent no.2 Smt. Divesh Kumari is present in Court and has been identified by SI Arun Negi of police station Dwarka (south). Respondent no. 2 admits having settled the matter with petitioner no. 1 of her own free will, voluntarily and without any undue force, pressure or coercion. Respondent no. 2 submits that her marriage with the petitioner

no.1 has already been dissolved by a decree of divorce by mutual consent dated 25th March, 2015 passed by the Family Court, South West District, Dwarka Courts, Delhi. Petitioner no.1 has paid ₹60,000/- to respondent no.2 by way of two demand drafts, photocopies whereof are on record. Respondent no. 2 says that with this payment, entire settled amount of ₹1,70,000/- stands received and she is not willing to pursue the FIR any further against the petitioner no. 1 and his relatives, that is, petitioner nos. 2 to 5 and the same may be quashed.

Keeping in mind the facts and circumstances as detailed above, more particularly, the fact that marriage of petitioner no. 1 and respondent no. 2 has already been dissolved by a decree of divorce by mutual consent, in the interest of justice, FIR No.13/2012 under sections 498-A/406/34 IPC registered at police station Dwarka (South) 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.

NOVEMBER 21, 2017

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