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

+ CRL.M.C. 4015/2017 & Crl. M.A. no. 16177/2017

ROHIT TANWAR & ANR Petitioners
Through Mr. Rahul Sood, Adv.

versus

STATE & ORS Respondents
Through Mr. M.S. Oberoi, APP with SI Jhabbu
Ram, P.S. Kirti Nagar for the State
Respondent no. 2 in person.

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

ORDER
% **29.11.2017**

Respondent no. 2 Ms. Dimple Tanwar is present in Court and has been identified by SI Jhabbu Ram of Police Station Kirti Nagar. 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 before Delhi Mediation Centre, Tis Hazari Courts, Delhi on 23rd August, 2016. 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 8th May, 2017 passed by the Family Court, West District, Tis Hazari Courts,

Delhi. Petitioner no. 1 has paid ₹1.50 lacs to respondent no. 2 by a cheque, photocopy whereof has been placed on record. Respondent no. 2 has accepted the cheque, subject to its realization. Respondent no. 2 says that entire settled amount of ₹13.50 lacs would stand paid with this payment. She submits that 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, subject to encashment of the aforesaid cheque.

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.271/2016 under Sections 498-A/406/34 IPC registered at Police Station Kirti Nagar and the consequent proceedings emanating therefrom are quashed, subject to realization of the aforesaid cheque.

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

A.K. PATHAK, J.

NOVEMBER 29, 2017

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