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

+ **CRL.M.C. 4171/2017**

AMIT KUMAR AGGARWAL

..... Petitioner

Through Mr. Rakesh Pathak, Adv. with
petitioner in person

versus

STATE OF DELHI & ORS.

..... Respondents

Through Mr. M.S. Oberoi, APP with W/SI
Meenu Bhan, P.S. Janakpuri for the
State
Mr. G.B. Sewak, Adv. with
respondent no. 2 in person

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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21.12.2017

Respondent no. 2 Ms. Ruhee Gupta is present in Court along with her counsel and has been identified SI Meenu Bhan of police station Janakpuri. Respondent no. 2 admits having settled the matter with petitioner of her own free will, voluntarily and without any undue force, pressure or coercion before the Counsellor, Family Courts, West District, Tis Hazari Courts, Delhi on 2nd March, 2016. Respondent no. 2 submits that her marriage with the petitioner has already been dissolved by a decree of divorce by mutual consent dated 12th May, 2017 passed by the Family Courts, West District,

Delhi. Petitioner no. 1 has paid ₹40,000/- to the respondent no. 2 vide a demand draft, which has been accepted by her, subject to its encashment, photocopy whereof has been placed on record. Respondent no. 2 submits that entire settled amount of ₹50,000/- stands paid with this payment. She submits that she is not willing to pursue the FIR any further against the petitioner and the same may be quashed.

Keeping in mind the facts and circumstances as detailed above, more particularly, the fact that marriage of petitioner and respondent no. 2 has already been dissolved by a decree of divorce by mutual consent, in the interest of justice, FIR No.368/2013 under Sections 498-A/406/34 IPC registered at Police Station Janak Puri and the consequent proceedings emanating therefrom are quashed, subject to encashment of the aforesaid demand draft.

Petition is disposed of in the above terms. Dasti.

A.K. PATHAK, J.

DECEMBER 21, 2017
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