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

+ CRL.M.C. 4217/2017 and Crl. M.A. Nos. 16913-14/2017

SUMIT MITTAL & ORS

..... Petitioners

Through Mr. Sahil Munjal, Adv. with
petitioners in person

versus

THE STATE NCT OF DELHI & ANR

..... Respondents

Through Ms. Manjeet Arya, APP with SI
Nasib Singh, P.S. Vikas Puri for the
State
Mr. Navlendu Kumar, Adv. with
respondent no. 2 in person

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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24.10.2017

Respondent no. 2 Arushi Agarwal is present along with her counsel and has been identified by SI Nasib Singh of Police Station Vikas Puri. Respondent no. 2 says that she has settled the matter with petitioners before the Delhi Mediation Centre, Tis Hazari Courts, Delhi on 20th October, 2016, of her own free will, voluntarily and without any undue force, pressure or coercion. She submits that her marriage with the petitioner no.1 has already been dissolved by a decree of divorce by mutual consent passed by the Principal Judge, Family Court, South West District, Dwarka Courts, New

Delhi on 11th September, 2017. Learned counsel for the petitioners submits that ₹22,00,000/- is lying deposited in the Family Court. He says that petitioners have no objection if this amount is released to the respondent no. 2. Respondent no. 2 says that subject to release this amount, she has no objection for quashing of the FIR. Family Court shall release the amount to the respondent no. 2 forthwith.

Keeping in mind the facts and circumstances of the case as detailed above more particularly, the fact that marriage between the petitioner no.1 and respondent no.2 has already been dissolved, in the interest of justice, FIR No.314/2013 under Sections 498-A/406/34 IPC registered at Police Station Vikas Puri and the consequent proceedings emanating therefrom are quashed, subject to the release of ₹22,00,000/- to the respondent no. 2.

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

A.K. PATHAK, J.

OCTOBER 24, 2017
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