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

+ **CRL.M.C. 4325/2017**

YOGESH BAHADUR & ORS

..... Petitioners

Through: Mr. Sunil K. Choudhary, Adv. along
with petitioner no.1 in person.

versus

THE STATE & ANR

..... Respondents

Through: Mr. M.S. Oberoi, APP for State with
SI Mehendra, P.S. Keshav Puarm.
Respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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27.10.2017

Crl. M.A. 17397/2017

Allowed, subject to all just exceptions.

Application is disposed of.

Crl. M.,C. 4325/2017

Respondent no.2-Suman is present in Court and has been identified by SI Mahendra of police station Keshav Puram. She says that she has settled the matter with the petitioner no.1 of her own free will and without any undue force, pressure or coercion vide Memorandum of Understanding dated 31st May, 2017. She further submits that first motion has already been accepted by the Family Court and she has also received ₹1 lac from the petitioner no.1. A sum of ₹50,000/- has been paid today by the petitioner

no.1 to the respondent no.2 today in Court. Petitioner no.1 submits that balance settled amount of ₹50,000/- would be paid at the time of moving of second motion. Respondent no.2 submits that she has no objection in case FIR is quashed, subject to petitioner cooperating with her in moving the second motion before the Family Court.

Keeping in mind the settlement arrived at between the petitioner no.1 and respondent no.2, in the interest of justice, FIR No. 49/2017 under Sections 498A/406/34 IPC registered at police station Keshav Puram and the consequent proceedings emanating therefrom are quashed subject to, however, petitioner no.1 cooperating respondent no.2 in moving the second motion and acceptance thereof. In case petitioner no.1 avoids to cooperate respondent no.2 at the time of second motion and does not pay the balance settled amount, the FIR shall stand revived.

Petition is disposed of in the above terms.

Dasti.

A.K. PATHAK, J.

OCTOBER 27, 2017

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