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

+ **CRL.M.C. 5139/2017**

GAURAV SETIA

..... Petitioner

Through Mr. Rishi Manchanda, Adv. with
petitioner in person

versus

THE STATE GOVT OF NCT OF DELHI & ANR..... Respondents

Through Mr. M.P. Singh, APP with SI Awadh
Kishor, P.S. Bindapur for respondent
no. 1

Mr. Shyam Dev Lal and Mr. Anand
Ahlawat, Adv. with respondent no. 2
in person

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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08.12.2017

Respondent no. 2 Ms. Pooja is present in Court and has been identified by SI Awadh Kishor of police station of Binda Pur. Respondent no. 2 admits having settled the matter with petitioner of her own free will, voluntarily and without any undue force, pressure or coercion, vide a Memorandum of Understanding dated 2nd August, 2016. Respondent no. 2 submits that her marriage with the petitioner has already been dissolved by a decree of divorce by mutual consent dated 3rd May, 2017 passed by the

Family Court, South – West District, Dwarka Courts, New Delhi. Petitioner has paid ₹6,00,000/- to the respondent no. 2 by a demand draft towards balance settled amount, photocopy whereof has been placed on record. Respondent no. 2 says that entire settled amount of ₹22,00,000/- 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.82/2008 under Sections 498-A/406/34 IPC registered at Police Station Binda Pur and the consequent proceedings emanating therefrom are quashed.

Petition is disposed of in the above terms. Dasti.

A.K. PATHAK, J.

DECEMBER 08, 2017

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