

\$~44

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

+ **CRL.M.C. 5263/2017**

RAHUL KATHANIA & ORS

..... Petitioners

Through: Mr. Shakti Chand Sharma and Mr.
Ranjay Kr. Ranjit, Advs.

versus

STATE (GOVT OF NCT OF DELHI) & ANR Respondents

Through: Ms. Manjeet Arya, APP for State with
ASI Nasir Abbas, P.S. Madhu Vihar.
Respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

%

14.12.2017

Respondent no.2-Ms Poonam Thakur is present in Court and has been identified by ASI Nasir Abbas of police station Madhu Vihar. She submits that she has settled the matter with the petitioner no.1 vide Memorandum of Understanding 8th February, 2017 of her own free will and without any undue force, pressure or coercion. She further submits that her marriage with the petitioner no.1 has already been dissolved by a decree of divorce by mutual consent on 3rd November, 2017 passed by the Family Court, Shahdara, Karkardooma Courts, Delhi. Petitioner no.1 has paid ₹ 1 lacs to the respondent no.2 towards balance settled amount through a demand draft, photocopy whereof has been placed on record. Respondent no.2 submits

that with this payment entire settled amount of ₹5 lacs stands paid and she has no objection in case FIR is quashed against all the petitioners. Affidavit of respondent no.2 is also on record.

Keeping in mind that marriage between the petitioner no.1 and respondent no.2 has already been dissolved by a decree of divorce by mutual consent, inasmuch as, settled amount stands paid and respondent no.2 has no objection in quashing of the FIR, in the interest of justice, FIR No. 455/2016 under Sections 498A/406/34 IPC registered at police station Rajouri Garden and the consequent proceedings emanating therefrom are quashed.

Petition is disposed of in the above terms.

Dasti.

A.K. PATHAK, J.

DECEMBER 14, 2017

ga