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

+ CRL.M.C. 5279/2017 & CrI. M.A. No. 20723/2017

AKASH JOON

..... Petitioner

Through Mr. Manoj Kumar Sharma, Adv.

versus

STATE (GOVT OF NCT OF DELHI) & ANR Respondents

Through Mr. M.P. Singh, APP with ASI
Omkar Singh, P.S. Jaffarpur Kalan
for the respondent no. 1

Mr. Krishan Kumar Sehrawat, Adv.
with respondent no. 2 in person

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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15.12.2017

On the oral prayer made by the counsel for petitioner, co-accused Shri Sanjay Joon and Smt. Santosh are impleaded as respondent nos. 3 and 4. Amended memo of parties be filed during the course of the day.

Respondent no.2 Rekha Devi is present in Court along with her counsel and has been identified by ASI Omkar Singh of police station Jaffarpur Kalan. 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 Counselling Cell, Family Courts, Dwarka Court, New Delhi vide Annexure – B. Respondent no. 2 submits that her

marriage with the petitioner has already been dissolved by a decree of divorce by mutual consent dated 21st August, 2017 passed by the Family Court, South-West District, Dwarka Courts, New Delhi. Petitioner has paid ₹2,00,000/- to the respondent no. 2 towards balance settled amount. Respondent no. 2 submits that entire settled amount of ₹6,50,000/- stands paid with this payment. She submits that she is not willing to pursue the FIR any further against the petitioner and his relatives, that is, respondent nos. 3 and 4 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.219/2016 under Sections 498-A/406/34 IPC registered at Police Station Jaffarpur Kalan and the consequent proceedings emanating therefrom are quashed.

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

A.K. PATHAK, J.

DECEMBER 15, 2017

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