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

+ CRL.M.C. 392/2017

VIKAS KUMAR & ORS

..... Petitioners

Through

Mr. Rakesh Chaudhary and Mr.
Suransh Chaudhary, Advs.

versus

STATE OF DELHI & ANR

..... Respondents

Through

Mr. M.S. Oberoi, APP with SI Koyal,
P.S. Nihal Vihar
Respondent no. 2 in person with her
counsel (attendance slip not given)

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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11.05.2018

Respondent no.2 Ms. Neetu Rani @ Neetu is present in Court along with her counsel and has been identified by W/SI Koyal of police station Nihal Vihar. Respondent no. 2 admits having settled the matter with petitioner no. 1 of her own free will, voluntarily and without any undue force, pressure or coercion. Respondent no. 2 submits that her marriage with the petitioner no.1 has already been dissolved by a decree of divorce by mutual consent dated 8th October, 2015 passed by the Family Courts, North West District, Rohini, Delhi. Petitioner no. 1 has paid ₹1,00,000/- to the

respondent no. 2, vide a cheque, photocopy whereof has been placed on record. Cheque has been accepted by respondent no. 2, subject to its realization. Respondent no. 2 says that entire settled amount of ₹3,15,000/- stands paid with this payment and she has no objection in case FIR is quashed against the petitioner no. 1 and his relatives, that is, petitioner nos. 2 and 3, subject to realization of the cheque of ₹1,00,000/- handed over to her today. Petitioner no. 1 is present in Court and assures that the cheque would be honoured on presentation.

Keeping in mind the facts and circumstances as detailed above, more particularly, the fact that marriage of petitioner no. 1 and respondent no. 2 has already been dissolved by a decree of divorce by mutual consent, in the interest of justice, FIR No.143/2012 under Sections 498-A/406 IPC registered at Police Station Nihal Vihar and the consequent proceedings emanating therefrom are quashed, subject to realization of the cheque of ₹1,00,000/- handed over to her today.

Petition is disposed of in the above terms. Dasti.

A.K. PATHAK, J.

MAY 11, 2018

r.bararia