

\$~56

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

+ CRL.M.C. 363/2018 & Crl. M.A. No. 1400/2018

NILABHA DEV

..... Petitioner

Through Mr. Dhruv Grover, Adv. with
petitioner in person

versus

STATE & ORS

..... Respondents

Through Ms. Manjeet Arya, APP with SI
Satvinder, P.S. Kalkaji for the State
Respondent no. 2 in person

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **23.01.2018**

Respondent nos. 3 and 4 are parents of petitioner. Respondent no. 2 Ms. Shyamolima Ghosh Choudhury (complainant) is present in Court and has been identified by SI Satvinder of Police Station Kalkaji. Respondent no. 2 submits that she has settled the matter with the petitioner, before the Delhi High Court Mediation and Conciliation Centre on 19th May, 2017, of her own free will and without any undue force, pressure or coercion. Respondent no. 2 says that her marriage with petitioner has already been dissolved by a decree of divorce by mutual consent on 3rd January, 2018 passed by the Family Courts, South-East District, Delhi. Petitioner has paid

₹4,00,000/- to the respondent no. 2 towards the balance settled amount, vide a demand draft, photocopy whereof has been placed on record. Respondent no. 2 submits that entire settled amount of ₹21,00,000/- stands paid with this payment. Respondent no. 2 submits that she has no objection in case FIR may be quashed against the petitioner and his relatives, that is, respondent nos. 3 and 4.

Keeping in mind the settlement arrived at between the parties and that marriage between the petitioner and respondent no. 2 has already been dissolved, no fruitful purpose would be served to keep the criminal proceedings pending. Accordingly, FIR No.90/2013 under Sections 498-A/406/34 IPC registered at Police Station Kalkaji 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.

JANUARY 23, 2018
r.bararia