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

+ CRL.M.C. 1326/2018 & CrI. M.A. No. 4831/2018

KAPIL AGGARWAL & ANR. Petitioners
Through Mr. S.Khan, Adv.

versus

STATE (NCT OF DELHI) & ANR. Respondents
Through Mr. G.M. Farooqui, APP for State
with SI Pardeep Kumar of Police
Station Model Town
Mr. Anuj Narula, Adv. with
respondent no. 2

CORAM:
HON'BLE MR. JUSTICE A.K. PATHAK

ORDER
% **15.03.2018**

Notice. Learned APP accepts notice. Respondent no.2 Ms. Shilpa Gupta is present in Court along with her counsel and accepts notice. She has been identified by SI Pradeep Kumar of police station Model Town. 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 3rd January, 2018 passed by the Family Courts, North District, Rohini

Courts, Delhi. Petitioner no. 1 has paid ₹20,00,000/- to the respondent no. 2, vide a demand draft, photocopy whereof has been placed on record as Annexure P-3. FDR of ₹20,00,000/- in the name of minor child, namely, Kush Gupta has also been handed over by the petitioner no. 1 to respondent no. 2. Respondent no. 2 says that terms of the settlement stand complied with and she has no objection in case FIR is quashed against the petitioner no. 1 and his relative, that is, petitioner no. 2. Affidavit of respondent no. 2 is also on record.

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.221/2015 under Sections 498-A/406 IPC registered at Police Station Model Town 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.

MARCH 15, 2018
r.bararia