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

+ CRL.M.C. 1488/2018 & Crl. M.A. nos. 5403-04/2018

SHALESH MIDHA & ORS. Petitioners

Through Ms. Nisha Sharma, Adv.

versus

THE STATE & ANR. Respondents

Through Mr. M.S. Oberoi, APP with SI
Parveen Kumar, P.S. South Rohini
Mr. Dharamender Sharma and Mr.
Anil Saini, Advs. with respondent no.
2

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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22.03.2018

Respondent no.2 Ms. Payal Abichandani is present in Court along with her counsel and has been identified by SI Parveen Kumar of police station South Rohini. 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 before the Counselling Cell, Family Courts, Dwarka Courts, New Delhi on 8th May, 2017. 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 21st December, 2017 passed by the Family Courts, Dwarka, New Delhi. Petitioner no. 1 has paid

₹3,00,000/- to the respondent no. 2, vide a demand draft, photocopy whereof has been placed on record. Respondent no. 2 says that entire settled amount of ₹10,00,000/- 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 to 5. Affidavit of respondent no. 2 is on record at pages 41 to 43.

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.552/2015 under Sections 498-A/406 IPC and Section 4 of the Dowry Prohibition Act, 1961 registered at Police Station South Rohini and the consequent proceedings emanating therefrom are quashed.

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

A.K. PATHAK, J.

MARCH 22, 2018
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