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

+ CRL.M.C. 1704/2018 & Crl. M.A. no. 6158/2018

VARUN KURSEJA & ORS Petitioners
Through Mr. Vijay Malhotra, Adv.

versus

STATE & ANR Respondents
Through Ms. Meenakshi Dahiya, APP with
ASI Hari Ram, P.S. Rajouri Garden
Mr. Mukesh Sharma, Adv. with
respondent no. 2 in person

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **09.04.2018**

Crl. M.A. No. 6158/2018 (exemption)

Allowed, subject to all just exception. Application is disposed of.

CRL.M.C. 1704/2018

Notice. Learned APP accepts notice for respondent no. 1.
Respondent no. 2 Ms. Divya @ Simran is present in Court along with her
counsel and accepts notice. Respondent no. 2 has been identified by ASI
Hari Ram of Police Station Rajouri Garden. 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 22nd January, 2018 passed by the Family Courts, West District, Tis Hazari Courts, Delhi. Petitioner no. 1 has paid ₹3,00,000/- to the respondent no. 2, vide two demand drafts, photocopy whereof has been placed on record. Respondent no. 2 says that entire settled amount of ₹11,00,000/- stands paid with this payment and has no objection in case FIR is quashed against the petitioner no. 1 and his relatives, that is, petitioner nos. 2 to 3.

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.426/2016 under Sections 498-A/406/34 IPC registered at Police Station Rajouri Garden 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.

APRIL 09, 2018
r.bararia