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

+ CRL.M.C. 1577/2018 & Crl. M.A. nos. 5734-35/2018

SUBHASH & ORS.

..... Petitioners

Through

Mr. Amit Rao, Adv. with petitioner
no. 1 in person

versus

STATE & ANR.

..... Respondents

Through

Ms. Manjeet Arya, APP with SI
Pradeep, P.S. Tilak Nagar
Respondent no. 2 in person

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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03.04.2018

Respondent no.2 Durgawati Duliyan is present in Court and has been identified by SI Pradeep of police station Tilak Nagar. 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, vide a Compromise Deed/Settlement Deed dated 11th May, 2017 (Annexure P-2). Respondent no. 2 says that she had filed a petition under Sections 13(1)(ia) and (ib) of the Hindu Marriage Act, 1955 (“the Act”, for short). Said petition was decided by the Additional District Judge, Rohini Court, Delhi,

vide a judgement and decree dated 21st November, 2009 and her marriage with petitioner no. 1 was dissolved under Section 13(1)(ib) of the Act. Respondent no. 2 says that she has no objection in case FIR No. 659/2002 under Sections 498-A/406 IPC registered at Police Station Tilak Nagar and the consequent proceedings emanating therefrom are quashed. Petitioner no. 1 submits that he has accepted the decree of divorce. He also says that the aforesaid FIR may be quashed.

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, in the interest of justice, FIR No. 659/2002 under Sections 498-A/406 IPC registered at Police Station Tilak Nagar 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.

APRIL 03, 2018
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