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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 1646/2018 & Crl. M.A. no. 5939/2018**

HARBINDER KAUR MANN & ANR Petitioners
Through **Mr. Abhinav Dhingra, Adv.**

versus

STATE (GOVT OF NCT OF DELHI) & ANR Respondents
Through **Ms. Manjeet Arya, APP with SI**
Sunita Singh, P.S. CAW Cell Nanak
Pura
Mr. Nitin Kumar, Adv. with
respondent no. 2 in person

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **05.04.2018**

Notice. Learned APP accepts notice for respondent no. 1.
Respondent no. 2 is present in Court along with her counsel and accepts notice. Respondent no. 2 has been identified by SI Sunita Singh of Police Station CAW Cell, Nanak Pura. Respondent no. 2 admits having settled the matter with petitioners of her own free will, voluntarily and without any undue force, pressure or coercion, vide a Settlement Agreement dated 1st December, 2017. Respondent no. 2 submits that her marriage with the petitioner no.2 has already been dissolved by a decree of divorce by mutual consent dated 19th February, 2016, vide Annexure A-4. Petitioner no. 1 has

paid ₹1,50,000/- to respondent no. 2 vide a demand draft, photocopy whereof has been placed on record. Respondent no. 2 says that with this payment entire settled amount of ₹8,00,000/- stands paid. It is submitted that Settlement Agreement dated 1st December, 2017 has been signed by petitioner no. 2 through his Attorney, that is, petitioner no. 1. Petitioner no. 1 has also returned the gold set to respondent no. 2, in terms of the settlement. Respondent no. 2 submits that terms of the settlement stand complied with and she has no objection in case FIR is quashed against the petitioners.

Keeping in mind the facts and circumstances as detailed above, more particularly, the fact that marriage of petitioner no. 2 and respondent no. 2 has already been dissolved by a decree of divorce, in the interest of justice, FIR No.101/2016 under Sections 498-A/406/34 IPC registered at Police Station CAW Cell, Nanak Pura 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 05, 2018

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