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

+ **CRL.M.C. 4781/2018**

MANISH KUMAR & ANR

..... Petitioners

Through: Mr. Jaspreet Kaur, Adv.

versus

STATE & ANR

..... Respondents

Through: Mr. Rajat Katyal, APP for State with
SI Jai Chand, P.S. Mukherjee Nagar.
Mr. Arun Kumar, Adv. for R-2 with
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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19.09.2018

Notice. Learned APP accepts notice for respondent no. 1. Respondent no.2-Smt. Gunjan is present in Court along with her counsel, who accepts notice. She has been identified by SI Jai Chand of police station Mukherjee Nagar.

Respondent no.2 submits that she has settled the matter with petitioner no.1 of her own free will and without any undue force, pressure or coercion vide Compromise Deed dated 25.04.2009. Her marriage with petitioner no.1 has already been dissolved by a decree of divorce by mutual consent dated 25.07.2009 passed by the Additional District Judge, Delhi. Petitioner no.1 has paid ₹40,000/- to the respondent no.2 today in Court towards balance settled amount. Respondent no. 2 says that with this

payment entire settled amount of ₹80,000/- stands paid and she has no objection in case FIR No. 77/2009 under Sections 498A/406 IPC registered at police station Mukherjee Nagar and the consequent proceedings emanating therefrom are quashed. Affidavit of respondent no. 2 to this effect is also on record.

Keeping in mind the settlement arrived at between the petitioner no.1 and respondent no. 2 voluntarily, in my view, no fruitful purpose would be served to keep the criminal proceedings pending. Accordingly, in the interest of justice, aforesaid FIR 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.

SEPTEMBER 19, 2018

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