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

+ **CRL.M.C. 5551/2018 & CRL MA 35398/2018**

MAYANK JAIN & ORS

..... Petitioners

Through Mr. Mukul Sharma, Adv

versus

THE STATE & ANR

..... Respondents

Through Mr. M S Oberoi, APP for State
W/ASI Sajni Devi, PS North Rohini
Respondent no.2 in person

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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31.10.2018

Notice. Learned APP accepts notice for respondent no. 1. Respondent no.2-Dr. Divya Jain is present in Court and accepts notice. She has been identified by W/ASI Sajni Devi of police station North Rohini.

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 before the Delhi Mediation Centre, Rohini District Courts, Delhi vide Settlement / Agreement dated 27th May, 2017. Her marriage with petitioner no.1 has already been dissolved by a decree of divorce by mutual consent dated 21st March, 2018 passed by the Family Courts, North-West District, Rohini, Delhi.

Petitioner has paid ₹10,50,000/- by way of demand draft, photocopy of which has been placed on record. Respondent No. 2

says that with this payment, entire settled amount of ₹ 32,50,000/- stands received by her and subject to encashment of the demand draft, she has no objection in case FIR No. 24/2017 under Sections 498A/406/34 IPC registered at police station North Rohini and the consequent proceedings are quashed against the petitioner no. 1 and his relatives, that is, petitioner nos.2 to 4. Affidavit of respondent no.2 to this effect, is on record.

Keeping in mind the settlement arrived at between 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 against the petitioners, subject to encashment of the demand draft.

Petition is disposed of in the above terms. Miscellaneous application is disposed of as infructuous. *Dasti*.

A.K. PATHAK, J

OCTOBER 31, 2018

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