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

+ CRL.M.C. 2608/2018, CRL MA 9266/2018

HIMANSHU GARG & ORS

..... Petitioners

Through Mr. Tarbez Anwar, Adv

versus

STATE & ANR

..... Respondents

Through Mr. M.S. Oberoi, APP for State.

W/SI Seema, PS Ashok Vihar

Mr. Abhishek, Adv for R-2

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **16.05.2018**

Notice. Learned APP accepts notice for respondent no.1. Respondent no. 2 is present in Court along with her counsel and has been identified by W/SI Seema of police station Ashok Vihar. Respondent no. 2 also accepts notice.

Respondent no. 2 submits that she has settled the matter with petitioner no.1 of her own free will, voluntarily and without any undue force, pressure or coercion. She further says that her marriage with the petitioner has already been dissolved by a decree of divorce by mutual consent dated 4th January, 2018 passed by the Family Courts, West District, Tis Hazari Courts, Delhi. Respondent no. 2 submits that she has no objection in case FIR No.701/2014 under sections 498A/406/34 IPC registered at police station Ashok Vihar is quashed against the petitioner no.1 and his relatives, that is, petitioner nos. 2 to 5.

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, the aforesaid FIR and the consequent proceedings emanating therefrom are quashed qua the petitioners.

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

A.K. PATHAK, J

MAY 16, 2018

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