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

+ **CRL.M.C. 2769/2018 and CRL.M.A. 9876/2018**

UMESH RAJAN MALHOTRA & ORS. Petitioners

Through **Ms. Pallavi Neeru and Mr. Hari
Kishan, Advocates**

versus

THE STATE(GOVT. OF NCT OF DELHI) & ANR. Respondents

Through **Ms. Neelam Sharma, APP for the
State
ASI Poonam Sharma, P. S. Jagat Puri
Respondent no.2 in person**

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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30.11.2018

CRL.M.A. 9876/2018

Allowed, subject to all just exceptions. Application is disposed of.

CRL.M.C. 2769/2018

Notice. Learned APP accepts notice for respondent no.1. Respondent no.2 is present in Court and has been identified by ASI Poonam Sharma of police station Jagat Puri.

It is submitted that petitioners and respondent no. 2 have settled their disputes amicably vide Memorandum of Understanding dated 16.11.2017. The marriage between petitioner no. 1 and respondent no. 2 has already been dissolved by a decree of divorce by mutual consent on 08.03.2018 passed by Family Court, Shahdara, Karkardooma Courts, Delhi.

Petitioner no.1 has paid ₹10,00,000/- to respondent no. 2 by way of a demand draft, photocopy whereof has been placed on record.

Respondent no.2 submits that she has settled the matter with the petitioners of her own free will and without any undue force, pressure or coercion. She further submits that the entire settled amount for ₹28,50,000/- has been paid to her with this payment and she has no objection in case FIR No. 352/2013 under Sections 498A/406/34 IPC registered at police station Jagat Puri and the consequent proceedings emanating therefrom are quashed against the petitioners. Affidavit of respondent no.2, in this regard, is also on record.

Keeping in mind the settlement arrived at between the petitioners 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.

Dasti.

A.K. PATHAK, J

NOVEMBER 30, 2018/b