

\$~40

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

+ CRL.M.C. 4286/2018, CRL MA 30631/2018

SH. SUSHIL BHARDWAJ & ORS. Petitioners

Through Pt. Om Dutt Sharma, Adv with
petitioners in person

versus

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

Through Mr. M S Oberoi, APP for State
ASI Gyan Chand, PS CWC
Nanakpura
Mr. Anupam Sharma, Adv for R-2
with R-2 in person

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **24.08.2018**

Notice. Learned APP accepts notice for respondent no. 1. Respondent no.2-Smt. Geeta Sharma is present in Court along with her counsel, who accepts notice. She has been identified by ASI Gyan Chand of police station CWC, Nanakpura, Delhi.

Respondent no.2 submits that he 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, West District, Tis Hazari Courts, Delhi on 6th March, 2018. She further states that her marriage with petitioner no.1 has already been dissolved by a decree of divorce dated 13th July, 2018 passed by Family Court, West District, Tis Hazari Courts, Delhi.

Petitioner no.1 has paid ₹1,20,000/- to respondent no.2 by way of demand draft in the Court today, photocopy whereof is on record. Respondent no. 2 submits that in view of the settlement, she has no objection in case FIR no.120/2016 under Sections 498-A/406/34 IPC registered at police station CWC, Nanakpura, Delhi and consequent proceedings emanating therefrom are quashed.

Petitioner no.1 undertakes to pay ₹1,40,000/- to respondent no.2, at the time of withdrawal of petition under section 12 of the DV Act, in terms of settlement dated 6th March, 2018.

Keeping in mind the settlement arrived at between the petitioner 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, subject to payment of ₹1,40,000/- by petitioner no.1 to respondent no.2 at the time of withdrawal of petition under section 12 of the DV Act, aforesaid FIR 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

AUGUST 24, 2018

sm