

\$~56

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

+ **CRL.M.C. 4321/2018**

SUMIT ANAND & ORS.

..... Petitioners

Through: Ms. Sawaty Singh Malik, Ms.
Yaashna Thakran and Ms. Purvi
Jalan, Advs. with petitioner no.1 in
person.

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Ms. Manjeet Arya, APP for State with
SI Vikas Yadav, P.S. Dwarka South
(South West).
Mr. Varun Pathak, Adv. for R-2 with
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

%

27.08.2018

Notice. Learned APP accepts notice for respondent no.1. Respondent no.2-Deepali Upadhyay is present in Court along with her counsel, who accepts notice. She has been identified by SI Vikas Yadav of police station Dwarka South.

Respondent no. 2 submits that she has settled the matter with the petitioner no. 1 of her own free will and without any undue force, pressure or coercion before the Special Judge, CBI Dwarka Court, New Delhi on 24th February, 2018. Her marriage with petitioner no.1 has already been dissolved by a decree of divorce by mutual consent dated 4th July, 2018

passed by the Family Court, Dwarka, New Delhi. Petitioner no.1 has paid ₹5 lacs to the respondent no. 2 today in Court towards the balance settled amount vide a demand draft, photocopy whereof has been placed on record. Petitioner no.1 also undertakes to withdraw his police complaint pending with the police station Gurgaon, Haryana. Respondent no.2 submits that with this payment entire settled amount of ₹15 lacs stands paid and she has no objection in case FIR No. 402/2017 under Sections 498A/406/34 IPC registered at police station Dwarka South and the consequent proceedings emanating therefrom are quashed against the petitioner no.1 and his relatives, that is, petitioner nos. 2 and 3.

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 in keeping 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 application is disposed of as infructuous.

Dasti.

A.K. PATHAK, J.

AUGUST 27, 2018/ga