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

+ **CRL.M.C. 5108/2018**

SUNIL KUMAR & ORS

..... Petitioners

Through: Ms. Dipty Vashisth, Adv. with
petitioner Nos.1 and 2 in person.

versus

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

Through: Ms.Kusum Dhalla, APP for State with
SI Ajit Singh, PS Mehrauli.
Ms. Kritika Mukesh Bura, Advocate
for R-2 with respondent No.2 in
person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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08.10.2018

Crl.M.A. No. 33702/2018

Allowed, subject to all just exceptions.

Application is disposed of.

CRL.M.C. 5108/2018

Notice. Learned APP accepts notice for respondent no.1. Respondent no.2 is present in Court along with her counsel, who accepts notice. She has been identified by SI Ajit Singh of police station Mehrauli.

It is submitted that petitioner no. 1 and respondent no. 2 have settled their disputes before Counselling Cell, Family Courts, Saket Court Complex, New Delhi vide Settlement dated 20.10.2015. It is submitted that marriage of petitioner no. 1 and respondent no. 2 has already been dissolved

by a decree of divorce by mutual consent dated 23rd December, 2016 passed by the Family Courts, South District, Saket, New Delhi. Petitioner no. 1 has paid the balance settled amount of ₹ 60,000/- to the respondent no. 2 vide a demand draft, photocopy whereof has been placed on record. He further submits that with this amount the entire settled amount of ₹2,60,000/- stands paid to Respondent no. 2.

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 and has received the entire settled amount. She says that she has no objection, in case FIR No.1863/2014 under Sections 498-A/406/34 IPC registered at Police Station Mehrauli is quashed against petitioner No.1 and his relatives, i.e., petitioner Nos.2 to 7. Affidavit of respondent No.2 at Pages Nos.78-79 is on record.

Keeping in mind the settlement arrived at between the petitioners and respondent no.2, 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.

Petition is disposed of in the above terms.

Dasti.

A.K. PATHAK, J.

OCTOBER 08, 2018
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