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

+ CRL.M.C. 6187/2018 & CRL. M.A. Nos. 49007-08/2018

KAPIL NAGWANI & ORS.

..... Petitioners

Through : Mr.Piyush Chhabra, Mr.Priyankar  
Tiwary, Advocates.

versus

STATE & ANR.

..... Respondents

Through : Ms.Aashaa Tiwari, APP for State  
with IO/ASI Aman Kumar, CAW  
Cell, Nanak Pura, New Delhi.  
Mr. Mahesh Saxena, Advocate for  
R2.

**CORAM:**

**HON'BLE MR. JUSTICE A.K. PATHAK**

**ORDER**

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**06.12.2018**

Notice. Learned APP for State accepts notice.

Respondent No. 2/Ms.Deepti Khemani is present in court along with her counsel and has been identified by IO/ASI Aman Kumar, CAW Cell, Nanak Pura, Delhi and states 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 Mediation Centre at Dwarka Courts, New Delhi on 16.12.2017. She states that her marriage with the petitioner No. 1 has already been dissolved by a decree of divorce dated 05.06.2018 before the Family Court, Patiala House Courts, New Delhi.

Petitioner No. 1 has paid a sum of ₹2,00,000/- (Rupees Two Lacs) to respondent No. 2 vide demand draft, photocopy thereof has been placed on record. The demand draft has been accepted by the respondent No. 2. Subject to its encashment, respondent No. 2 has no objection in case, the FIR No. 05/2014, registered under Sections 498-A/406/34 IPC at Police Station CAW Cell, Nanakpura, New Delhi is quashed, subject to encashment of the demand draft. 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 to keep the criminal proceedings pending. Accordingly, aforesaid FIR and the consequent proceedings emanating therefrom are quashed, subject to encashment of demand draft.

Petition is disposed of in the above terms. Miscellaneous applications are disposed of as infructuous. Dasti.

**A.K. PATHAK, J.**

**DECEMBER 06, 2018**

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