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

+ **CRL.M.C. 5375/2018**

SHRI SHIV PRAKASH SHARMA

..... Petitioner

Through Mr. Dipty Vashisht, Adv

versus

STATE & ANR.

..... Respondents

Through

Mr. Izhar Ahmad, APP for State.

SI Rakesh, PS Mehrauli.

Mr. Sanjiv Kumar, Adv for R-2 with
R-2 in person

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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15.11.2018

Notice. Learned APP accepts notice for respondent no. 1. Respondent no.2 Smt. Jyoti Sharma is present in Court along with her counsel and has been identified by SI Rakesh of police station Mehrauli.

Respondent no. 2 admits having settled the matter with petitioner no.1 of her own free will, voluntarily and without any undue force, pressure or coercion before Mediation Centre, Saket Courts, New Delhi on 27th October, 2016. Respondent no. 2 submits that she has already signed second motion and handed over copy thereof to the petitioner no.1. Second motion is listed before the trial court on 19th November, 2018. Respondent no.2 undertakes to appear before the trial court on the date so fixed and says that she will give

her consent on receipt of balance amount of ₹5 lacs from petitioner no.1, in terms of the settlement.

Petitioner no.1 has paid ₹5 lacs to respondent no.2 by way of demand draft, photocopy whereof has been placed on record. Respondent no. 2 says that she has no objection in case FIR no. 1607/2016 under Sections 498-A/406/34 IPC registered at Police Station Mehrauli and consequent proceedings emanating therefrom are quashed against the petitioner no. 1 and his relatives, that is, petitioner nos. 2 to 5.

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 consequent proceedings emanating therefrom are quashed.

Petition is disposed of in the above terms. *Dasti.*

A.K. PATHAK, J

NOVEMBER 15, 2018

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