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

+ **CRL.M.C. 5261/2018**

SHIV SHANKAR & ANR.

..... Petitioners

Through: Mr. Satish Kumar, Adv.

versus

STATE & ANR.

..... Respondents

Through: Mr. Rajat Katyal, APP for State with
SI Ranbir Singh, P.S. Nangloi.
Respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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12.10.2018

Notice. Learned APP accepts notice for respondent no. 1. Respondent no.2-Ms. Pooja is present in Court and has been identified by SI Ranbir Singh of police station Nangloi.

Respondent no.2 submits that she has settled the matter with petitioner no. 1 of her own free will and without any undue force, pressure or coercion before the Counselling Cell, Family Court, West District, Tis Hazari Court, Delhi on 16.02.2018. Her marriage with petitioner no.1 has already been dissolved by a decree of divorce by mutual consent dated 17.07.2018 passed by the Family Court, West District, Tis Hazari Court, Delhi. Petitioner no. 1 has paid ₹25,000/- to the respondent no. 2 today in Court vide a demand draft, photocopy whereof has been placed on record.

Respondent no. 2 says that entire settled amount of ₹1,25,000/- stands paid with this payment and she has no objection in case FIR No. 743/2015 under Sections 498A/406/34 IPC registered at police station Nangloi is quashed against petitioner no. 1 and his mother, that is, petitioner no. 2. Affidavit of respondent no.2 in this regard is already on record.

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, 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.

OCTOBER 12, 2018

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