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

+ **CRL.M.C. 5960/2018**

AJIT SWAIKA & ORS.

..... Petitioners

Through: Mr. T.N. Saxena, Ms. Amita Agarwal
and Mr. H.C. Kharbanda, Advs.

versus

STATE & ANR.

..... Respondents

Through: Mr. M.S. Oberoi, APP for State with
SI Nagender Nagar, P.S. Sarita Vihar.
Respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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28.11.2018

Notice. Learned APP accepts notice for respondent no. 1.
Respondent no.2-Smt. Swati Garg is present in Court and has been identified
by SI Nagender Nagar of police station Sarita Vihar.

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 Delhi Mediation Centre, Saket Court, New Delhi on
30.07.2018. Her marriage with petitioner no.1 has already been dissolved
by a decree of divorce by mutual consent dated 10.09.2018 passed by the
Family Court, South East District, Saket Court, New Delhi. Respondent no.
2 says that she has received entire settled amount of ₹4.75 lacs and she has

no objection in case FIR No. 42/2018 under Sections 498A/406/34 IPC registered at police station Sarita Vihar is quashed against the petitioner no. 1 and his relatives, that is, petitioner nos. 2 to 6.

Keeping in mind the settlement arrived at between 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, which is at the investigation stage, is quashed.

Petition is disposed of in the above terms. Miscellaneous application is disposed of as infructuous.

Dasti.

A.K. PATHAK, J.

NOVEMBER 28, 2018

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