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

+ CRL.M.C. 1705/2018

NITIN JAIN & ORS Petitioners
Through Mr. Gaurav Seth, Adv.

versus

THE STATE GOVT OF NCT OF DELHI & ANR..... Respondents
Through Ms. Manjeet Arya, APP with SI
Rahul Malan, P.S. Gandhi Nagar
Mr. Aman Goswami, Adv. with
respondent no. 2 in person

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **09.04.2018**

Crl. M.A. No. 6163/2018 (condonation of delay)

Delay in re-filing condoned. Application is disposed of.

Crl. M.A. No. 6162/2018 (exemption)

Allowed, subject to all just exception. Application is disposed of.

CRL.M.C. 1705/2018

Notice. Learned APP accepts notice for respondent no. 1.
Respondent no. 2 Ms. Preeti Jain is present in Court along with her counsel
and accepts notice. Respondent no. 2 has been identified by SI Rahul Malan
of Police Station Gandhi Nagar. 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 Delhi Mediation Centre, Karkardooma Courts, Delhi on 10th June, 2016. Respondent no. 2 submits that her marriage with the petitioner no.1 has already been dissolved by a decree of divorce by mutual consent. Petitioner no. 1 has paid ₹1,00,000/- to the respondent no. 2, vide two demand drafts, photocopies whereof have been placed on record. Respondent no. 2 says that entire settled amount of ₹6,00,000/- stands paid with this payment and has no objection in case FIR is quashed against the petitioner no. 1 and his relatives, that is, petitioner nos. 2 and 3.

Keeping in mind the facts and circumstances as detailed above, more particularly, the fact that marriage of petitioner no. 1 and respondent no. 2 has already been dissolved by a decree of divorce by mutual consent, in the interest of justice, FIR No.980/2014 under Sections 498-A/406/34 IPC registered at Police Station Gandhi Nagar 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.

APRIL 09, 2018
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