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

\+ CRL.M.C. 204/2019 and Crl. M.A. no. 871/2019

AJAY @ TILAK RAJ & ANR ..... Petitioners

Through Ms. Padma Priya, Adv. with petitioners in person

versus

STATE & ORS ..... Respondents

Through Mr. Raghuvinder Verma, APP with WSI Arti Singh, P.S. Patel Nagar
Respondent nos. 2 in person
Respondent nos. 3 and 4 in person

CORAM:
HON'BLE MR. JUSTICE A.K. PATHAK

O R D E R

% 18.01.2019

Respondent no.2 Ms. Geeta is present in Court and has been identified by WSI Arti Singh of police station Patel Nagar. Respondent nos. 3 and 4 are relatives of petitioner no. 1 and are co-accused.

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. Respondent no. 2 further submits that her marriage with petitioner no.1 has already been dissolved by a decree of divorce by mutual consent dated 20th November, 2009 passed by the Additional District Judge – II, Central District, Tis Hazari Courts, Delhi. Petitioner no. 1 has paid ₹15,000/- to respondent no. 2 towards balance settled amount. Respondent

no. 2 says that entire settled amount of ₹1,15,000/- stands paid with this payment and she has no objection in case FIR no. 683/2007 under Sections 498-A/406/34 IPC registered at Police Station Patel Nagar and consequent proceedings emanating therefrom are quashed against petitioner no. 1 and his relatives, that is, petitioner no. 2 and respondent nos. 3 and 4.

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.

Learned counsel for the petitioners submits that a sum of ₹15,000/- is lying deposited before the trial court and the same may be refunded to petitioner no. 1. Respondent no. 2 submits that she has no objection in case the said amount is released to petitioner no. 1. If any such amount is lying deposited in the trial court, the same may be released to petitioner no. 1 by the trial court.

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

A.K. PATHAK, J.

JANUARY 18, 2019/*r.bararia*