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

+ CRL.M.C. 726/2019 and Crl. M.A. no. 2991/2019

MANOJ KUMAR & ORS Petitioners
Through Mr. Parmil Kumar, Adv.

versus

THE STATE OF GOVT OF NCT DELHI & ANR.... Respondents
Through Ms. Aasha Tiwari, APP with ASI
Hawa Singh, P.S. Nihal Vihar
Mr. Anil Kumar, Adv. with
respondent no. 2

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **08.02.2019**

Notice. Learned APP accepts notice for respondent no. 1.
Respondent no.2 Ms. Mamta Devi is present in Court along with respondent
no. 2 and accepts notice. She has been identified by ASI Hawa Singh of
police station Nihal 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 Counselling Cell, Family Courts, West District, Tis
Hazari Courts, Delhi on 20th March, 2017. 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 8th February, 2018 passed by the Family Courts, West District, Tis Hazari Courts, Delhi. Petitioner no. 1 has paid ₹50,000/- to respondent no. 2, vide a cheque, photocopy whereof has been placed on record. Respondent no. 2 has accepted the said cheque towards balance settled amount, subject to its encashment. Respondent no. 2 says that entire settled amount of ₹2,00,000/- stands paid with this payment and she has no objection in case FIR no. 142/2011 under Sections 498-A/406/34 IPC registered at Police Station Nihal Vihar and consequent proceedings emanating therefrom are quashed against petitioner no. 1 and his relatives, that is, petitioner nos. 2 to 4. Affidavit of respondent no. 2 to this effect is on record.

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, , subject to encashment of the aforesaid cheque.

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

A.K. PATHAK, J.

FEBRUARY 08, 2019/r.bararia