

\$~36

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

+ CRL.M.C. 1279/2019

SH. SUDHIR JAIN & ORS.

..... Petitioners

Through: Ms. Mithila Jain, Adv.

versus

STATE & ANR.

..... Respondents

Through: Ms. Aashaa Tiwari, APP for State
with W/ASI Vidya, P.S. Paschim
Vihar.

Respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

%

08.03.2019

Respondent no.2-Smt. Rita @ Nisha Jain is present in Court and has been identified by W/ASI Vidya of police station Paschim 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 vide Memorandum of Understanding dated 17.09.2018. Her marriage with petitioner no.1 has already been dissolved by a decree of divorce by mutual consent dated 24.01.2019 passed by the Family Court, West District, Tis Hazari Court, Delhi. Petitioner no.1 has paid ₹5 lacs to respondent no.2 today in Court vide two demand drafts, photocopy whereof has been placed on record. Respondent no.2 submits that with this payment

entire settled amount of ₹14 lacs stands paid and she has no objection in case FIR No. 87/2016 under Sections 498-A/406/34 IPC registered at police station Paschim Vihar is quashed against petitioner no. 1 and his relatives, that is, petitioner nos. 2 to 4. Affidavit of respondent no.2 to this effect is already on record.

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 and 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.

MARCH 08, 2019

ga