

\$~28

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

+ **CRL.M.C. 1328/2019**

PANKAJ BHATIA & ORS

..... Petitioners

Through: Mr. Pramod Kumar and Mr. S.P. Singh, Advs. with petitioner no.1 in person.

versus

STATE & ANR

..... Respondents

Through: Mr. Raghuvinder Varma, APP for State with SI Reena, P.S. Paschim Vihar.
Respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

%

13.03.2019

Notice. Learned APP accepts notice for respondent no. 1. Respondent no.2-Ms. Neha Bhatia is present in Court and accepts notice. She has been identified by SI Reena 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. Her marriage with petitioner no.1 has already been dissolved by a decree of divorce dated 07.12.2018 by mutual consent passed by the Family Court, West District, Tis Hazari Court, Delhi. Petitioner no. 1 has paid ₹1,00,000/- to the respondent no. 2 today in Court vide a demand draft,

photocopy whereof has been placed on record. Respondent no. 2 says that with this payment entire settled amount of ₹3,00,000/- stands paid and she has no objection in case FIR No. 232/2017 under Sections 498-A/406/34 IPC registered at Police Station Paschim Vihar and the consequent proceedings emanating therefrom are quashed against petitioner no. 1 and his relative, that is, petitioner nos. 2 to 4. Affidavit of respondent no.2 to this effect is already on record.

Keeping in mind the fact that husband (petitioner no.1) and wife (respondent no. 2) have decided to part their ways, inasmuch as, obtained decree of divorce by mutual consent, 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 13, 2019

ga