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

+ **W.P.(CRL) 2354/2019**

SHRI ARU KUMAR SHARMA & ORS. Petitioners

Through: Mr D. V. Khatri, Advocate.

versus

STATE & ANR. Respondents

Through: SI Rajeshwar, PS Palam Village.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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17.02.2020

CRL.M.A. 3529/2020

1. This is an application filed by respondent no. 2, *inter alia*, praying that the order dated 30.10.2019 passed by this Court, quashing FIR No. 0384/2017 under Sections 498A/406/34 of the IPC registered with PS Palam Village and all proceedings emanating therefrom, be recalled.
2. The said FIR was quashed on the statement made by respondent no.2 that she had resolved all her disputes with her husband and did not wish to pursue the aforesaid FIR. It is also relevant to note that the parties were referred to the Delhi High Court Mediation and Conciliation Centre (DHCMCC) and had also entered into a Settlement Agreement dated 05.09.2019, before the DHCMCC.
3. It is the applicant's case that the petitioners have not performed their obligations under the said Settlement Agreement and have once again turned out the applicant from her matrimonial home.

4. Insofar as the allegations made in the aforesaid FIR are concerned, the same stand quashed on the basis of the statement made by the applicant and this Court finds no reason to restore the same.
5. Insofar as the applicant's grievances regarding non-performance of the said Settlement Agreement and being turned out from her matrimonial house is concerned, the applicant is at liberty to take such steps as advised in respect of the acts of the petitioners (husband of the applicant and his family members) that relate to the period after 30.10.2018.
6. The applicant's prayer that the petitioners have committed contempt is also unmerited.
7. The application is, accordingly, dismissed.

FEBRUARY 17, 2020
MK

VIBHU BAKHRU, J