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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL. M.C. 2832/2018 & CRL. M.A. 10043/2018 (STAY)**

ANITA SHARMA & ORS. Petitioners
Through: Mr. Keshav Mohan and Mr. Rishi
Kumar Awasthi, Advocates.

Versus

THE STATE OF NCT OF DELHI & ANR. Respondents
Through: Dr. M.P. Singh, APP for State/R-1.
Ms. Nitya Ramakrishnan, Advocate
for R-2 along with both Ms. Mir
Sonia Hussain (Respondent no.2) and
her husband-Mr. Mir Akhtar Hussain
in person.

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

(VIA VIDEO CONFERENCING)

ORDER
% **17.07.2020**

CRL.M.A. 9494/2020 (Exemption by R-2)

1. Exemption is allowed, subject to the condition that the respondent no.2 will file the duly sworn/attested affidavit within 72 hours from the date of resumption of the regular functioning of this Court.
2. Application is disposed of.

CRL. M.C. 2832/2018 & CRL. M.A. 10043/2018 (STAY)

1. On the last date of hearing i.e., 16.07.2020, Ms. Nitya Ramakrishnan, learned counsel for the respondent no.2 prayed that time be granted to enable the parties to work out a settlement. Accordingly, at request of both

the parties, the matter was adjourned for today.

2. Today, Mr. Keshav Mohan, learned counsel appearing for the petitioners submits he had extensive talks with Ms. Nitya Ramakrishnan and the parties were able to exchange affidavits on the settlement terms. The respective affidavits have also been placed on the record of this case.

3. Ms. Nitya Ramakrishnan seeks discharge. Accordingly, she is discharged from the case. This Court appreciates the effort made by Ms. Nitya Ramakrishnan in facilitating the parties to reach an amicable settlement.

4. Mr. Keshav Mohan, learned counsel for the petitioners submits that an affidavit has been sworn by the petitioner no.3 for self as well as on behalf of petitioner nos.1 and 2. He, on instructions, submits that both, petitioner nos. 1 and 2 undertake to abide by the aforesaid affidavit filed by petitioner no.3. In terms of the settlement, the petitioner nos.1 & 2 shall withdraw their respective complaints filed against respondent no.2 and her husband being NCR 0095/16 dated 17.09.2016 under Sections 504/506 IPC at P.S. Malviya Nagar and NCR 0099/16 dated 19.09.2016 under Sections 323/504/506 IPC at P.S. Malviya Nagar. The petitioners are bound down by their affidavits and the statement made on their behalf.

5. An affidavit confirming the settlement has also been placed on the record by Ms. Mir Sonia Hussain (respondent no.2), who has joined the VC hearing along with her husband Mr. Mir Akhtar Hussain. It has been stated that she has no objection to the quashing of present FIR No. 682/2016 under Sections 354/354B/323/341/506/509/34 registered at P.S. Malviya Nagar as well as the consequent proceedings.

6. As part of the settlement, Mr. Mir Akhtar Hussain orally submits that

he at no point of time intended to not honour the settlement recorded in the order dated 28.03.2017 passed by this court in RFA 315/2017 and his consequent affidavit. He undertakes to withdraw the two contempt petitions filed against the petitioners which are pending before this Court bearing CCP No. 421/2017 and CCP No. 423/2017. Mr. Mir Akhtar Hussain's statement is taken on record and he is bound down by the same.

7. Both, Ms. Mir Sonia Hussain and Mr. Mir Akhtar Hussain have stated that the settlement and the consequent statements have been made out of their own volition and without any undue pressure or coercion.

8. In view of the affidavits filed and the statements made by the parties before this Court today, the FIR No. 682/2016 under Sections 354/354B/323/341/506/509/34 registered at P.S. Malviya Nagar and the consequent proceedings emanating therefrom are quashed.

9. The petition is disposed of in the above terms. Miscellaneous application is disposed of as infructuous. No orders as to cost.

MANOJ KUMAR OHRI, J

JULY 17, 2020

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