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

+ **CRL.M.C. 2512/2025**

JITENDER TANWAR & ORS.

.....Petitioners

Through: Mr. Arun Sharma, Advocate.

versus

THE STATE (N.C.T OF DELHI) & ANR.

.....Respondents

Through: Ms. Manjeet Arya, APP for State with
SI Sumit, PS Mohan Garden.
Mr. Kunal Lakra, Advocate for R-2.

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

15.04.2025

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CRL.M.A. 11245/2025 (exemption)

1. Allowed, subject to all just exceptions.

CRL.M.C. 2512/2025

2. Petitioners have sought quashing of FIR No.419/2019 of PS Mohan Garden for offences under Section 498A/406/34 IPC on the ground that parties have compromised the disputes before Mediation Centre, Dwarka Courts, Delhi.

3. The purported mediation settlement dated 30.08.2024 is placed at pdf page 29 of the paperbook, which *prima facie* fails to inspire confidence. Learned counsel for petitioners also finds it difficult to support the so called mediation settlement. It appears that the mediator did not bother to deal with any of the facet of the dispute between the parties. There is no mention about the decision of the parties to live together or to get their marriage



dissolved. There is no mention about the custody of the child born to the present petitioner no.1 and the present respondent no.2. Further, it appears that the only settlement is that the present respondent no.2 opted to settle the disputes without any monetary consideration. There is no discussion about the right of the child for maintenance.

4. At this stage, learned counsel for petitioners on instructions of his clients present in the court room seeks permission to withdraw this petition with liberty to make appropriate application before the Magestrial Court for fresh referral of the disputes to the Mediation Centre, Dwarka Courts, Delhi. A copy of this order be sent to the Incharge of the Mediation Centre, Dwarka Courts, Delhi to look into the manner in which the mediation was carried out and to ensure that this time, the matter is assigned to some mediator other than the mediator who carried out the present mediation.

5. Accordingly, the petition is dismissed as withdrawn with liberty as sought.

GIRISH KATHPALIA, J

APRIL 15, 2025/ry

Click here to check corrigendum, if any