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

+ CRL.M.C. 5013/2017 & Crl. M.A. no. 19810/2017

NARESH KUMAR

..... Petitioner

Through

Mr. S. Firoz and Mr. Rabindra Nanda,
Advs.

versus

THE STATE GOVT OF NCT OF DELHI & ANR..... Respondents

Through

Ms. Meenakshi Dahiya, APP with SI
Rameshwar Prasad, P.S. Fateh Pur
Beri for respondent no. 1
Mr. Jeewan Chandra, Adv. with
respondent no. 2 in person

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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30.11.2017

Respondent no. 2 Ms. Mamta is present in Court along with her counsel and has been identified by SI Rameshwar Prasad of police station Fateh Pur Beri. Respondent no. 2 admits having settled the matter with petitioner of her own free will, voluntarily and without any undue force, pressure or coercion before the Mediation Centre, Saket Courts on 30th March, 2017. Respondent no. 2 submits that her marriage with the petitioner has already been dissolved by a decree of divorce by mutual consent dated 23rd November, 2017 passed by the Family Court, South

District, Saket Courts, New Delhi. Petitioner has paid ₹1,49,000/- to the respondent no. 2 by a demand draft, photocopy whereof has been placed on record. Respondent no. 2 says that she has received the entire settled amount with this payment. She submits that she is not willing to pursue the FIR any further against the petitioner and the same may be quashed.

Keeping in mind the facts and circumstances as detailed above, more particularly, the fact that marriage of petitioner and respondent no. 2 has already been dissolved by a decree of divorce by mutual consent, in the interest of justice, FIR No.366/2014 under Sections 498-A/406/34 IPC registered at Police Station Fatehpur Beri and the 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.

NOVEMBER 30, 2017

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