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

Date of Decision: July 13, 2015

+ **CRL.M.C. 1692/2015**

RAMESH CHANDER Petitioner
Through: Mr. Ratneshwar Pandey, Advocate

versus

STATE OF NCT OF DELHI & ORS. Respondents
Through: Mr. Vinod Diwakar, Additional
Public Prosecutor for respondent-
State with SI Surender Kumar
Mr. Satish Kumar Bhatti, Advocate
with respondent No.2-in-person

CORAM:
HON'BLE MR. JUSTICE SUNIL GAUR

% **JUDGMENT**
(ORAL)

Quashing of FIR No.446/2014 under Sections 451/380 of IPC registered at P.S. Shahbad Dairy, Delhi is sought on the basis of *Memorandum of Understanding* of 22nd April, 2015 (*Annexure P-3*).

At the hearing, learned counsel for petitioner had submitted that petitioner has acted upon the aforesaid *Memorandum of Understanding* but respondent-complainant is not coming forward for getting the FIR of this case quashed.

Learned Additional Public Prosecutor for respondent-State submits that respondent-complainant is present in the Court and he submits that

she has received the settled amount but the compromise ought to be composite one. That is to say, the divorce by mutual consent ought to be obtained by the parties before seeking quashing of the FIR in question.

Upon hearing and on perusal of the *Memorandum of Understanding (Annexure P-3)*, I find that the stand taken by respondent-complainant appears to be quite reasonable. As of now, this Court is not inclined to quash the FIR in question on the strength of the *Memorandum of Understanding*. However, the parties would be well advised to explore a possibility of mediation through the Mediation Centre and thereafter, obtain the divorce by mutual consent and then only to seek the quashing of the FIR in question.

With the aforesaid observations, this petition is disposed of while not commenting upon merits of this case.

(SUNIL GAUR)
JUDGE

JULY 13, 2015

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