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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ CRL.M.C. 1908/2016
ARUN NIRWAN & ORS

Through Mr Surinder Jain, Adv. alongwith petitioners in person Petitioner

versus

STATE (GOVT OF NCT OF DELHI) & ORS

Through Mr Arun Kumar Sharma, Addl. Public Prosecutor for the State alongwith Sub Inspector Narender Kumar Police Station Prasad Nagar, Delhi Respondent
Mr S.K. Pal, Adv. for R3 alongwith R3 in person

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA

ORDER

% 17.05.2016

This is a petition under S. 482 Cr.PC moved by the petitioners for quashing of FIR No.259/2012 registered at Police Station Prasad Nagar, Delhi under Ss. 323/342/354/506/34 IPC and consequent proceedings emanating therefrom on the ground that the parties have compromised the matter.

It is submitted by counsel for the petitioners that the parties are closely related to each other as the petitioner no.1 to 3 are mother, father and brother respectively of the respondent no.3. Several litigations are pending between the parties. However, the matter has now been settled between them and a Memo of Understanding was entered which is annexed to the petition at pgs. 15 – 23 whereby all the disputes have been settled between the parties for a total sum of Rs.4.50 lacs. A sum of Rs.50,000/- was paid to respondent no.3 at the time of execution of the MOU. A demand draft of Rs.3 lacs has been paid to the respondent no.3 today in the Court and a demand draft of Rs.1 lac has been handed over to her counsel who assures that this draft will be handed over to the respondent no.3 at the time of withdrawal of petition under Ss. 12, 18,19,20 and 22 of the Protection of Women from Domestic Violence Act, 2005 by her. It is submitted that it has been further agreed between the parties that on payment of this amount, the respondent no.2 shall not raise any claim upon the amount of Rs.5.30 lacs which is lying deposited with the landlady Smt. Leela Devi. It is, therefore, prayed that the instant FIR be quashed.

The respondent No.3/complainant, who is present in person (duly identified by the Investigating Officer of the case as well as her counsel) submits that she has amicably resolved

all disputes with the petitioners voluntarily without there being any threat, coercion or pressure of any sort. She further submits that she has received a sum 3.50 lacs and will get the draft of balance amount of Rs.1 lac, which has been handed over to her counsel, at the time of withdrawal of petition under Ss. 12, 18,19,20 and 22 of the Protection of Women from Domestic Violence Act, 2005 filed by her. As such, it is submitted by her that she has no objection to quashing of FIR.

Mr Arun Kumar Sharma, Addl. Public Prosecutor for the State submits that the FIR in the instant case was registered way back in 2012 as such in case the FIR is to be quashed, same be subject to some costs.

Since the parties have amicably resolved their disputes, continuation of the criminal proceedings would be a futile exercise and it will be rather in the ends of justice to give quietus to such litigation.

Accordingly, the petition is allowed and the FIR No. FIR No.259/2012 registered at Police Station Prasad Nagar, Delhi under Ss. 323/342/354/506/34 IPC and consequent proceedings emanating therefrom are hereby quashed.

The petition stands disposed of accordingly.

A copy of this order be given *dasti* to counsel for the petitioners.

SUNITA GUPTA, J

MAY 17, 2016/*rd*