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

+ **CRL.M.C. 1973/2017**

BABU LAL AGGARWAL & ANR Petitioners

Through: Mr.K.Singhal, Adv. with Mr.Prasanna
and Mr.Ajay Kumar, Advs.

versus

STATE NCT OF DELHI & ANR Respondents

Through: Mr.Izhar Ahmad, APP for State
SI Devender, PS-Lahori Gate
Mr.Varun Nischal, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% **16.05.2017**

CRL.M.A.8122/2017

Exemption allowed subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 1973/2017

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.384/2004, under Sections 420/467/468/471/120-B IPC, registered at Police Station-Lahori Gate, Delhi and all proceedings emanating therefrom.

Counsel for the petitioners submits that the petitioners and the respondent No.2 are real brothers and there was a property dispute between the parties and thereafter misunderstanding had arisen between the parties, which resulted into the registration of aforesaid FIR. Counsel further submits that after the registration of the FIR, the near relatives and the friends intervened and the matter has been amicably settled between the parties vide Memorandum of Understanding dated 08.04.2017 and nothing remains to be adjudicated further amongst them and to have better

relationship in near future, the present FIR, which is coming as a hurdle in their way, may be quashed.

Respondent No.2, Mr.Tara Chand Aggarwal is present in Court today and has been identified by the Investigating Officer SI Devender, Police Station-Lahori Gate, Delhi. The respondent No.2 admits that the petitioners are his real brothers and he has settled the matter amicably with them vide Memorandum of Understanding dated 08.04.2017. He further submits that the settlement/compromise has taken place voluntarily, without any force, pressure or coercion. He submits that nothing remains to be adjudicated further between them and he has no objection if the FIR in question is quashed.

Keeping in view the above facts and circumstances, since the matter pertains to family dispute which has been amicably settled between the parties who are stated to be real brothers and nothing remains to be adjudicated further between them, to have peace in the family and for maintaining good relationship between the parties, I deem it appropriate to quash the FIR and all its subsequent proceedings. Consequently, FIR No.384/2004, under Sections 420/467/468/471/120-B IPC, registered at Police Station-Lahori Gate, Delhi and all proceedings arising therefrom are hereby quashed. Parties to remain bound by the terms of Memorandum of Understanding dated 08.04.2017.

The present petition is allowed and disposed of accordingly.

Copy of this order be given *dasti*, as prayed.

I.S.MEHTA, J

MAY 16, 2017/sr