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

+ CRL.M.C. 1974/2017

NITIN TOKAS & ORS.

..... Petitioners

Through: Mr.Santosh Mishra, Adv.

versus

STATE & ANR.

..... Respondents

Through: Mr.Raghuvinder Varma, APP for
State with SI Harbir Singh, Police
Station-R.K.Puram
Mr.T.S.Pandey, Adv. for complainant

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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16.05.2017

CRL.M.A.8123/2017

Exemption allowed subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 1974/2017

This is a petition under Section 482 Cr.P.C. moved on behalf of the petitioners for quashing of FIR No.455/2015, under Sections 307/34 IPC, registered at Police Station-R.K.Puram, Delhi and all the proceedings emanating therefrom.

Learned counsel for the petitioners submits that the marriage between the petitioner No.1, Mr.Nitin Tokas and the respondent No.2/complainant Ms.Taruna Tokas was solemnized on 03.03.2014 according to Hindu rites and customs. Counsel further submits that after the marriage

misunderstanding between the parties had arisen, which resulted into the registration of aforesaid FIR. He further submits that after the registration of the FIR, the near relatives and close friends intervened and the matter has been amicably settled between the parties vide Memorandum of Understanding dated 01.04.2017. Counsel further submits that the respondent No.2 is living with the petitioners at H.No. B-139, Mohammad Pur, Delhi and they are leading a happy and peaceful married life. Counsel further submits that the matter has been amicably resolved between the parties and nothing further remains to be adjudicated between the parties, however, the present FIR is coming as hurdle in the peaceful life of both the parties and prays that the FIR in question and all proceedings arising therefrom may be quashed.

The respondent No.2/complainant, Ms.Taruna Tokas is present in Court today and has been identified by the Investigating Officer, SI Harbir Singh, Police Station-R.K.Puram. The complainant admits that the matter has been amicably settled with the petitioner vide Memorandum of Understanding dated 01.04.2017. She further submits that she has joined her husband/petitioner No.1 and living happily and peacefully with her husband at H.No. B-139, Mohammad Pur, Delhi without any kind of complaint or grievance. She further submits that the said settlement arrived at with the petitioner is voluntary and without any force, pressure or coercion and she does not want any further action qua against her husband and has no objection, if the FIR in question is quashed.

Keeping in view the facts and circumstances of the case and the fact that the matter has been amicably settled between the parties and in terms of the said settlement, the respondent No.2/complainant has joined her

matrimonial home and now living with the petitioners happily and peacefully and nothing further remains to be adjudicated between them, to have peace in the life of the parties and to meet the ends of justice, I deem it appropriate to quash the aforesaid FIR and all subsequent proceedings arising out of the same. Consequently, FIR No.455/2015, under Sections 307/34 IPC, registered at Police Station-R.K.Puram, Delhi and all subsequent proceedings arising therefrom are hereby quashed. Parties to remain bound by the terms of Memorandum of Understanding dated 01.04.2017.

The present petition is allowed and stands disposed of accordingly.

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

I.S.MEHTA, J

MAY 16, 2017/sr