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

+ CRL.M.C. 490/2018

MAHABIR SINGH

..... Petitioner

Through: Mr.Nagendra Kasana, Adv. with
petitioner in person.

versus

THE STATE & ORS

..... Respondents

Through: Mr.Raghuvinder Verma, APP with SI
Om Prakash, PS S.L. Colony.
R-2 & 3 in person.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **05.12.2018**

1. Vide the present petition filed u/s 482 Cr.P.C., the petitioner seeks quashing of FIR No.477/2013 registered u/s 307 IPC at Police Station Sunlight Colony, Delhi on the basis of a Memorandum of Understanding dated 06.01.2018.
2. Learned counsel for the petitioner submits that the respondent no.2 is the wife of the petitioner and the respondent no.3/complainant is the son of the petitioner. The parties have been living together for the last many years but on 17.11.2013, in the heat of the moment, an altercation took place between the parties leading to the filing of a complaint by the petitioner's son/respondent no.3 on account of the respondent no.2 having been beaten by the petitioner.

3. Learned counsel for the petitioner further submits that with the intervention of family members, the parties have now resolved their disputes and have entered into a Memorandum of Understanding dated 06.01.2018, pursuant where to the parties have been living together as a family. He submits that the petitioner who is present in Court, undertakes not to misbehave with the respondent nos.2 and 3 in any manner. He, therefore, prays that the captioned FIR and consequential proceedings be quashed.

4. The petitioners as also the respondent nos.2 and 3 are present in Court and have been identified by the Investigating Officer. I have interacted with the respondent nos.2 and 3 who state that they have resolved all their differences with the petitioner of their own free will and have entered into the settlement without any coercion. They further submit that since they are living together as a family for the last many years, they also do not want the criminal proceedings to continue and pray that the captioned FIR and consequential proceedings be quashed.

5. I have considered the submissions of the learned counsel for the parties and perused the record. Keeping in view the fact that FIR emanates out of a dispute between close family members who are still living together as also the fact that the petitioner undertakes not to misbehave with the respondent nos.2 and 3, no useful purpose will be served in continuing with the criminal proceedings.

6. For the aforesaid reasons, the petition is allowed and the captioned FIR and the proceedings emanating therefrom are quashed.

7. The petition is disposed of in the above terms.

REKHA PALLI, J

DECEMBER 05, 2018
gm