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

+ CRL.M.C. 2691/2018 & Crl. M.A. no. 9586/2018

RAM NARESH YADAV & ANR. Petitioners
Through Mr. Samir Jha, Adv.

Versus

STATE (GNCT OF DELHI) & ANR. Respondents
Through Ms. Kusum Dhalla, APP with SI
Mukesh, P.S. Sagarpur
Respondent no. 2 in person with her
daughter

CORAM:
HON'BLE MR. JUSTICE A.K. PATHAK

ORDER
% **18.05.2018**

Notice. Learned APP accepts notice for respondent no. 1. Respondent no.2 Ms. Telani Lugan is present in Court along with her daughter Shilpa and accepts notice. Respondent no. 2 has been identified by SI Mukesh of police station Sagarpur.

FIR No. 125/2011 under Section 363 IPC was registered at police station Sagar Pur on the complaint of respondent no. 2. Respondent no. 2 alleged in the FIR that she had sent her daughter Shilpa, aged 13 years with petitioner no. 2 on 8th March, 2011 for searching a job. On 10th March, 2011 petitioner no. 1 informed that Shilpa was missing from their home.

Learned counsel for the petitioners submits that Shilpa had accompanied

the petitioners with the consent of her mother but she went missing. Subsequently, Shilpa had left the house of petitioners of her own free will. She was, later on, found in Nirmal Chhaya on 23rd May, 2011. Since Shilpa was missing, petitioner no. 2 informed respondent no. 2 that Shilpa had gone somewhere. Pursuant to this information, Respondent no.2 lodged the FIR.

Respondent no. 2 submits that she has settled the matter with the petitioners of her own free will and without any undue force, pressure or coercion, vide a Memorandum of Understanding dated 15th May, 2018. She states that on account of misunderstanding/confusion, the aforesaid FIR was lodged; therefore, she says that she is not willing to pursue the FIR any further and the same may be quashed. Shilpa also says that petitioner had not kidnapped her.

Keeping in mind the settlement arrived at between the petitioners and respondent no. 2 voluntarily, in my view, no fruitful purpose would be served to keep the criminal proceedings pending. Accordingly, in the interest of justice, aforesaid FIR, which is at the investigation stage, is quashed.

Petition is disposed of in the above terms. Miscellaneous application is disposed of as infructuous.

Dasti.

A.K. PATHAK, J.

MAY 18, 2018
r.bararia