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

+ CRL.M.C. 5359/2018

SH. AKSHAY BHALLA & ORS. Petitioners

Through: Mr. D.S. Kohli, Adv. with
petitioners in person

Versus

STATE & ANR. Respondents

Through: Mr. Panna Lal Sharma, APP
with SI Manoj Kumar, PS
Rajouri Garden in person
Mr. R.K. Narang, Adv. with
R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **22.10.2018**

CRL.M.A. 34620/2018 (for exemption)

Exemption allowed, subject to all just exceptions.

Application stands disposed of.

CRL.M.A. 34619/2018 (for stay)

Learned counsel for the petitioners prayed for withdrawal of the application. Accordingly, the application is dismissed as withdrawn.

CRL.M.C. 5359/2018

This is a petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.73/2015 dated 16.1.2015, registered with PS: Rajouri Garden, New Delhi under Sections 498A/406/34 of the Indian Penal Code, 1860 (IPC) and the proceedings emanating therefrom.

All the petitioners are present in the Court. The Investigating Officer, who is present in Court, has identified the petitioners and the respondent no.2.

Learned counsel for the petitioners submitted that the parties have, *inter se*, settled their dispute and have also executed a Memorandum of Understanding (MoU) dated 10.05.2018. Petitioners as well as respondent no.2, who are present in Court, submitted that they have entered into the MoU on their own free will and accord, without any undue influence/coercion. Learned counsel for the parties submitted that the case filed by respondent no.2 under The Protection of Women from Domestic Violence Act, 2005 stands withdrawn by respondent no.2 against the petitioners. Learned counsel for the parties also submitted that divorce has also been granted on 7.9.2018. Learned counsel for the parties submitted that except payment of Rs.2.5 lacs, which is required to be paid by the petitioners to the respondent no.2, all the payments, as mentioned in the aforesaid MoU, already stands paid. Learned counsel for the petitioners has handed over a demand draft bearing No.UPL 915187 dated 3.10.2018 for a sum of Rs.2.5 lacs to the respondent no.2 in the Court today, which has been duly accepted by respondent no.2.

In view of the aforesaid facts, no fruitful purpose would be served in keeping them entangled in the criminal proceedings. Accordingly, in the interest of justice, FIR No.73/2015 dated 16.1.2015, registered with PS: Rajouri Garden, New Delhi under Sections 498A/406/34 of the IPC and the proceedings emanating

therefrom are quashed.

Petition is disposed of in above terms.

CHANDER SHEKHAR, J.

OCTOBER 22, 2018/rk