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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 5457/2018 & CrI.M.A. No.35070/2018 (for exemption)
VINOD KUMAR & ORS Petitioners
Through: Mr.Sanjay Kumar, Adv. with the
petitioners.

versus

THE STATE & ANR Respondents
Through: Ms.Manjeet Arya, APP for the State
with SI Govind Singh, PS Uttam
Nagar.
Mr.Sudhir Kumar, Adv. for R-2 with
respondent no.2 in person.

CORAM:
HON'BLE MS. JUSTICE REKHA PALLI
ORDER
% **29.10.2018**

1. Vide the present petition, the petitioners seek quashing of FIR No.338/2015 under Sections 324/34 IPC registered at PS Uttam Nagar, on the basis of a Memorandum of Understanding (MOU) dated 29.04.2017 entered into between the parties.

2. Learned counsel for the petitioners submits that the marriage between the petitioner no.2 and the respondent no.2 was solemnised on 16.01.2013, however, due to some temperamental differences, the parties could not live together and a complaint was made by the respondent no.2, leading to the registration of the aforesaid FIR. He submits that after the initiation of the criminal proceedings as a consequence of the aforesaid FIR, the parties have, with the

intervention of the elders of the family, settled their disputes and have entered into a (MOU) dated 29.04.2017. He further submits that pursuant to the aforesaid settlement, the marriage between the petitioner no.2 and the respondent no.2 already stands dissolved by the order dated 21.01.2018 passed by the Family Courts, Dwarka. He submits that the entire agreed amount as per the MOU stands paid to the respondent no.2 and therefore prays that the aforesaid FIR and all proceedings emanating therefrom be quashed.

3. The petitioners as also the respondent no.2 are present in Court. I have interacted with the respondent no.2 who is represented through her counsel and states that she has entered into the said MOU voluntarily and out of her own free will. She also prays that the aforesaid FIR and all proceedings emanating therefrom be quashed as she wants to move on in life and does not want any acrimony with the petitioners.

4. Having considered the submissions of the learned counsel for the parties, I am of the opinion that no useful purpose will be served in prolonging the criminal proceedings as respondent no.2 has entered into the said MOU voluntarily and out of her own free will and therefore, in the interest of justice, the FIR and the consequential proceedings deserve to be quashed.

5. Accordingly, the petition is allowed and FIR No.338/2015 under Sections 324/34 IPC registered at PS Uttam Nagar and proceedings emanating therefrom are quashed, subject to the petitioners depositing a sum of Rs.25,000/- with the Delhi High Court Advocates Welfare Trust, within three weeks from today. A copy of

the receipt of deposit of costs will be handed over to the Investigating Officer for production before the learned Trial Court.

6. The petition alongwith the pending application is disposed of in the above terms.

REKHA PALLI, J

OCTOBER 29, 2018

gm