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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 6044/2018**
HARENDER & ANR. Petitioners

Through: Mr. Dinesh Mudgil, Advocate
versus

STATE & ANR. Respondents

Through: Mr. Kamal Kumar Ghai, APP
with SI Sunder Singh, PS:Baba
Haridas Nagar, Delhi
Mr. R.K. Singh, Advocate for
respondent No.2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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30.11.2018

CRL.M.A.48376/2018

Allowed, subject to all just exceptions. The application is disposed of.

CRL.M.C. 6044/2018

1. The petitioners have moved the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.488/2014, under Sections 467/468/471 of the Indian Penal Code, 1860, registered at PS:Baba Haridas Nagar, Delhi and the proceedings emanating therefrom.

2. The petitioners and respondent No.2 as well as their respective counsels submitted that the parties have entered into a settlement vide Memorandum of Understanding ('MoU') dated 30.8.2018. Learned counsel for the respective parties

further submitted that their clients have no further dispute or conflict of interest in any manner and they are living peacefully and happily.

3. The Investigating Officer ('IO'), who is present in Court, has identified the petitioners as well as respondent No.2, has verified about the MoU.

4. Respondent No.2 submitted that the aforesaid MoU has been executed between the parties on their own free will, without any force, pressure, coercion or threat whatsoever. Respondent No.2 further submitted that she has no objection to the petition being allowed and the FIR being quashed.

5. In view of the aforesaid circumstances and the MoU executed between the parties, this Court is of the view that no fruitful purpose would be served in keeping the parties entangled in the criminal proceedings. Accordingly, in the interest of justice, FIR No.488/2014, under Sections 467/468/471 of the Indian Penal Code, 1860, registered at PS:Baba Haridas Nagar, Delhi and the proceedings emanating therefrom are quashed, subject to the petitioners depositing Rs.5,000/- each with the Advocates' Welfare Fund within two weeks and a receipt of the same be filed in the Registry within three weeks. In case the petitioners fail to deposit the said sum, the prosecution shall be entitled to move an application for passing appropriate orders.

6. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

NOVEMBER 30, 2018

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