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

+ **CRL.M.C. 6019/2018**

MAOZAM MANZOOR DAR Petitioner
Through: **Mr. Vikas Sharma, Advocate**

versus

STATE & ANR. Respondents
Through: **Mr. Kamal Kumar Ghai, APP**
with **SI Sunil Kumar,**
PS:Govind Puri, New Delhi
Mr. Divye Puri, Advocate for
respondent No.2

CORAM:
HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **29.11.2018**

CRL.M.A. 48301/2018

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

CRL.M.C. 6019/2018 & CRL.M.A. 48300/2018

1. The petitioner has moved the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.875/2016, under Sections 279/338 of the Indian Penal Code, 1860, registered at PS:Govind Puri, New Delhi and the proceedings emanating therefrom.

2. The petitioner and respondent No.2 as well as their respective counsel submitted that the parties have entered into a

settlement vide Memorandum of Understanding ('MoU') dated 15.11.2018. Learned counsel for the petitioner submitted that in terms of the MoU, respondent No.2 has already received the compensation of Rs.65,000/- in compliance of the directions of the Motor Accident Claim Tribunal.

3. Learned counsel for the petitioner further submitted that in terms of the MoU, the petitioner has already paid a sum of Rs.7,500/- and balance of Rs.7,500/- is required to be paid and for this purpose, petitioner has brought a payment order No.058757 dated 15.11.2018 drawn on J&K Bank and has handed it over to respondent No.2 in Court today.

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

5. Respondent No.2 submitted that the aforesaid MoU has been executed between the parties on their own free will, without any force, pressure or coercion. Respondent No.2 further submitted that with the receipt of balance sum of Rs.7,500/-, he is having no objection to the petition being allowed and the FIR being quashed.

6. 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. 875/2016, under Sections 279/338

of the Indian Penal Code, 1860, registered at PS:Govind Puri, New Delhi and the proceedings emanating therefrom are quashed.

7. Petition is disposed of in above terms. Pending application is also disposed of.

CHANDER SHEKHAR, J

NOVEMBER 29, 2018

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