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

+ **W.P.(CRL) 1020/2019**

**HARSH KUMAR & ORS.**

..... Petitioners

Through: Mr.Rahul Lather, Adv with  
petitioners in person

versus

**STATE & ANR.**

..... Respondents

Through: Mr.Amanpreet Singh, Adv for  
Mr.Rahul Mehra, SC(Crl.) for State  
with W/ASI Anil Sharma, PS Hari  
Nagar  
Ms.Mehak Tanwar, Adv with  
respondent No. 2 in person

**CORAM:**

**HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL**

**ORDER**

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**09.04.2019**

**CRL.M.A. 7536/2019 (Exemptions)**

Exemption is allowed subject to all just exceptions.

Application stands disposed of.

**W.P.(CRL) 1020/2019**

The instant petition has been filed by the petitioner under Article 226/227 of the Constitution of India seeking quashing of the FIR No. 79/2018 registered at PS Hari Nagar for the offences punishable under Sections 498-A/406/34 of the Indian Penal Code, 1860 (in short 'IPC'), on the complaint of respondent No. 2 and the proceedings pursuant thereto on

the ground that a MOU/Compromise dated 31.05.2018 has been arrived at between the parties in the matter. It is also submitted that marriage between petitioner No. 1 and respondent No. 2 has been dissolved on 21.02.2019.

All petitioners and respondent No. 2 are present in Court today and have been identified by the learned counsel for the petitioners and Investigating Officer, respectively. Respondent No. 2 states that she has settled the matter with the petitioners with her own free will and choice without any threat, pressure and coercion as per MOU/Compromise Deed dated 31.05.2018. Today, she has received balance amount of Rs.3,50,000/- by way of demand draft 711428 dated 04.04.2019 drawn on State Bank of India, Shastri Bhawan, New Delhi towards full and final settlement. She further submits that she does not wish to pursue the abovementioned FIR and the proceedings thereto.

A fresh MOU/Compromise dated 09.04.2019 has been filed in court today. The same is taken on record. Both parties undertake to abide by the terms and conditions contained in MOU/Compromise deeds dated 31.05.2018 and 09.04.2019.

Keeping in view the fact that the parties have amicably resolved their differences voluntarily and out of their own free will and without any coercion, pressure, no useful purpose will be served in continuance of the proceedings. It would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question. Consequently, FIR No. 79/2018 registered at PS Hari Nagar for the offences punishable under

Sections 498-A/406/34 IPC and proceedings pursuant thereto are hereby quashed.

The petition is disposed of.

**SANGITA DHINGRA SEHGAL, J**

**APRIL 09, 2019**  
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**Petitioner No. 1**

**Respondent No. 2**

**Petitioner No. 2**

**Petitioner No. 3**

**Petitioner No. 4**