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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 2037/2019
RAJ SINGH DUA & ORS. Petitioners
Through: Mr. Rohit Nagpal, Advocate

versus

STATE & ANR. Respondents
Through: Mr. Raghuvinder Verma, APP
with SI Manoj Kumar,
PS:Naraina, Delhi
Mr. Simran Jyot Singh,
Advocate for respondent No.2

CORAM:
HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER
% **09.12.2019**

CRL.M.A.8082/2019 (for exemption)

Allowed, subject to all just exceptions. Application stands disposed of.

CRL.M.C. 2037/2019

1. Issue notice. Notice is accepted by the learned APP for the State and by learned counsel for respondent No.2.
2. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.245/2017, under Sections 498A/406/417/354/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Naraina, Delhi and the proceedings emanating therefrom.

3. The petitioners and respondent No.2 as well as their respective counsel submitted that the parties have settled their disputes on their own free will, without any force or coercion vide Memorandum of Understanding (MoU) dated 25.1.2019, as is also evident from the order of our own High Court dated 28.1.2019.

4. Learned counsel for the petitioners and learned counsel for respondent No.2 submitted that an amount of Rs.12,00,000/- has already been released in favour of respondent No.2 by the Court of learned Metropolitan Magistrate, Patiala House Courts, Delhi. Learned counsel for the petitioners and learned counsel for respondent No.2 further submitted that the petitioners have already paid another sum of Rs.8,00,000/- to the respondent No.2 through a demand draft.

5. Learned counsel for the petitioners submitted that the petitioners shall not contact respondent No.2 or her family members in any manner in future.

6. Respondent No.2, who is present in Court with her father, has reiterated the aforesaid facts and submitted that since the matter stands settled, she has no objection to the FIR being quashed and the petition being allowed, in case the balance amount of Rs.10,00,000/-, lying deposited in the Court of the learned Metropolitan Magistrate, Patiala House Courts, Delhi is released in her favour. Petitioners are not having any objection. Respondent No.2 may move an appropriate application in this regard before the competent court for the

release of the aforesaid amount.

7. The Investigating Officer ('IO'), who is present in Court, has identified the petitioners as well as respondent No.2 and has also verified the MoU arrived at between the parties.

8. In view of the aforesaid circumstances and the settlement arrived at 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.245/2017, under Sections 498A/406/417/354/34 of the IPC, registered at P.S.: Naraina, Delhi and the proceedings emanating therefrom are quashed.

9. Petition is disposed of in above terms. The parties shall remain bound by the terms of the MoU.

CHANDER SHEKHAR, J

DECEMBER 09, 2019

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