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

+ **CRL.M.C. 1824/2018 & CRL.M.A.6545/2018**

BITTO & ORS

.... Petitioners

Through: Mr. Sunil Dahiya, Adv. with
the petitioners in person

versus

THE STATE & ANR.

.... Respondents

Through: Mr. Kamal Kumar Ghei, APP
with SI Sumit, PS Prasad
Nagar, Delhi
Ms. Shobhana Tanwar and Ms.
Meenakshi Aggarwal, Advs.
for R-2 with R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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13.03.2019

CRL.M.A. 6545/2018 (for exemption)

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

CRL.M.C. 1824/2018

1. Respondent No.2 has filed on record her response by way of an affidavit and has furnished her proof of identity.
2. Learned counsel for the parties submitted that Lila Ram, one of the accused persons, has already expired on 12.10.2013.

3. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.683/2015 under Sections 498-A/406/34 of the Indian Penal Code, 1860 (IPC), registered at Police Station Prasad Nagar, New Delhi and the proceedings emanating therefrom.

4. The petitioners and respondent No.2 as well as the learned counsel for the parties submitted that the parties have settled the matter vide Memorandum of Understanding (MoU) dated 1.8.2017 as is evident from the joint statement dated 27.8.2018 of petitioner No.1 and respondent No.2 recorded before the Principal Judge, Family Courts, Central District, Tis Hazari Courts, Delhi in pursuance whereof, the marriage between petitioner No.1 and the respondent No.2 has been dissolved vide a decree of divorce dated 27.2.2018.

5. The Investigating Officer ('IO'), who is present in Court, has identified the petitioners as well as respondent No.2 and has also verified the settlement arrived at between the parties. The IO has also verified the factum of the death of Lila Ram.

6. The petitioners and the respondent No.2 stated that the settlement was arrived at between the parties on their own free will, without any force, pressure or coercion. Respondent No.2 submitted that she has received the entire amount from the petitioners and now nothing is due from the petitioners in terms of the settlement arrived at between the parties which fact is also evident from the affidavit filed on record by her. She further submitted that she has no objection to the petition being allowed and the FIR being quashed.

7. 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. 683/2015 under Sections 498-A/406/34 of the IPC, registered at Police Station Prasad Nagar, New Delhi and all the consequential proceedings arising out of the FIR are quashed.

8. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

MARCH 13, 2019/rk