

\$~45

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 536/2020**

SH. SUNIL LALWANI & ANR.

..... Petitioners

Through: Mr. Kunal Yadav and Mr. Manish
Sharma, Advs. with petitioners in
person.

versus

STATE & ANR.

..... Respondents

Through: Ms. Manjeet Arya, APP for State with
SI Sanjeev Kumar, P.S. K.N.K. Marg.
Mr. Sanjay Kumar, Advocate for R-2
with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

%

31.01.2020

1. The present proceedings are instituted seeking quashing of FIR No. 442/2015 under Sections 354(D)/509 IPC registered at P.S. K.N. Katju Marg on the ground of settlement having been arrived at between petitioner no.1 and respondent no. 2.
2. Petitioner no.1 is the husband whereas; petitioner no.2 is the brother-in-law of the complainant (respondent no.2). It is submitted that matrimonial discord between petitioner no.1 and respondent no.2 had led to registration of present FIR.
3. Learned APP for the State, submits that the charge sheet in the present case has been filed under the aforesaid sections against the petitioners and respondent no.2 is the only complainant/victim.
4. Learned counsel for the petitioners submits that petitioner no.1 and respondent no.2 have entered into a settlement vide Memorandum of

Understanding dated 04.03.2017. Copy of the same is placed on record as Annexure P-3. In terms of the settlement, respondent no.2 is now left with no claim whatsoever against the petitioners.

5. The petitioners and respondent no.2 are present in person and have been identified by their respective counsels as well as the Investigating Officer.

6. Respondent no. 2 states that she has entered into the settlement with petitioner no.1 out of her own free will, volition and without any undue force, pressure or coercion. She further states that she has no objection if the present FIR and the consequent proceedings are quashed against petitioner no.1 and his brother i.e., petitioner no.2.

7. Learned counsel for the petitioners submits that no other proceedings are pending between the parties.

8. The parties shall remain bound by their statements made in Court today.

9. In view of the settlement arrived at between the parties voluntarily, in my view, no useful purpose will be served in continuance of the present criminal proceedings. Accordingly, in the interest of justice, the aforesaid FIR and the consequent proceedings emanating therefrom are hereby quashed.

10. With the above directions, the petition is disposed of. Miscellaneous applications are disposed of as infructuous.

11. Order *dasti* to the counsels for the parties.

MANOJ KUMAR OHRI, J

JANUARY 31, 2020/ga