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

+ CRL.M.C. 2393/2018

RAMESH & ORS.

..... Petitioners

Through: Mr. Shallaj Kumar, Ms. Pallavi S.
Kansal and Mr. Tushar Alok, Advocates with
petitioners No.1 to 5

versus

STATE (G.N.C.T.D.) & ANR.

..... Respondent

Through: Mr. Mukesh Kumar, APP for State with
SI Prabhakaran, P.S. Dabri and father of the
complainant

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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30.01.2020

1. The present proceedings are instituted seeking quashing of FIR No. 364/2006 under Sections 406/498-A/34 IPC registered at P.S. Dabri on the ground of settlement having been arrived at between the petitioners and respondent No. 2.
2. Learned counsel for the petitioners submits that petitioner No.6 is the sister-in-law of petitioner No.1 and has been hospitalized due to which reason she is unable to reach the court.
3. Mr. Mukesh Kumar, 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 during the life time of the deceased/complainant, the petitioners as well as the deceased/complainant have reached a settlement before the Mediation Center, Dwarka Court, New Delhi on 07.07.2014 where it was decided that they would live together and seeks quashing of the present FIR.
5. Learned counsel for the petitioner submits that the aforesaid statement was also noted in the order sheet dated 20.07.2017. He submits that thereafter the complainant expired on 18.12.2017.
6. The petitioners No.1 to 5, who are present in court, are identified by their counsel as well as by the Investigating Officer. Respondent No.2 is also present in court, who has also been identified by the Investigating Officer.
7. Respondent No. 2/father of the complainant is present in court and submits that the deceased had expired on account of illness and an affidavit has been placed on record that his daughter had settled all her disputes with the petitioners during her life time and being the father, he has no objection to the quashing of the present FIR
8. It is further informed that the children of the deceased are staying with their father/petitioner No.1.
9. Learned counsels for the parties submit that no other proceedings are pending between the parties.
10. The parties shall remain bound by their statements made in Court today.

11. Keeping in mind that the petitioner and the children of the deceased/complainant have started living with the petitioners and Respondent No.2/father of the complainant is not willing to pursue the FIR any further, in my view, no fruitful purpose would be served to keep them entangled in the present criminal proceedings. Accordingly, in the interest of justice, present FIR and the consequent proceedings emanating therefrom are quashed.

12. The petition is disposed of in the above terms.

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

MANOJ KUMAR OHRI, J

JANUARY 30, 2020

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