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

+ **CRL.M.C. 1705/2024 & CRL.M.A. 6597/2024**

**SHERUN NISHA**

.....Petitioner

Through: Mr. Rajesh Rathod and Mr. Shaheen  
Sheikh, Advocates.

versus

**THE STATE AND ANR.**

.....Respondents

Through: Mr. Utkarsh, APP for the State with  
SI Akashdeep, P.S.: Jamia Nagar.  
Mr. Jatin Sharma and Ms. Anam  
Sahar, Advocates for R-2.

**CORAM:**

**HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI**

**ORDER**

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**20.09.2024**

**CRL.M.A. 6541/2024 (exemption)**

Exemption granted, subject to just exceptions.

The application stands disposed-of.

**CRL.M.C. 1705/2024**

By way of the present petition filed under section 482 of the Code of Criminal Procedure 1973, the petitioner seeks quashing of case FIR No. 0438/2016 dated 15.05.2016 registered under sections 380/447/448/451/454/506 of the Indian Penal Code, 1860 ('IPC') at P.S.: Jamia Nagar, Delhi ('subject FIR').

2. The petition is premised on Memorandum of Understanding dated 17.10.2023 ('MoU'), whereby the petitioner and respondent No. 2 have resolved the matter amicably.
3. The petition is also supported by affidavits of the petitioner and of respondent No. 2, alongwith proof of their IDs.



4. The contesting parties are present in court. Their credentials have been verified and they have also been identified by their respective counsel as well as by the Investigating Officer.
5. The court has interacted with respondent No. 2, as also with petitioner, who have confirmed that they have now resolved the matter and an MoU has been signed by them closing all issues amicably. Respondent No. 2 confirms that all aspects of the MoU have been performed and the parties now wish to live in peace and harmony going forward.
6. Mr. Utkarsh, learned APP confirms that the State has no objection to the subject FIR being quashed.
7. For completeness, it may be recorded that though, in addition to the petitioner, 03 other persons were also named as accused in the FIR, the court is informed that the other 03 persons were put in Column No.12 in the charge-sheet filed in the matter and have therefore not been 2016 sent-up for trial.
8. In the circumstances, in line with the law laid down by the Supreme Court in *Gian Singh vs. State of Punjab & Anr.* reported as (2012) 10 SCC 303 as also in *Narinder Singh & Ors. vs. State of Punjab & Anr.* reported as (2014) 6 SCC 466, this court sees no reason why the subject FIR and all proceedings emanating therefrom should not be quashed. This court is of the view that in light of the settlement between the contesting parties, continuing with the subject FIR and all subsequent proceedings would be an exercise in futility and would not be conducive to peace and harmony between the parties.



9. Accordingly, case FIR No. 0438/2016 dated 15.05.2016 registered under sections 380/447/448/451/454/506 IPC at P.S.: Jamia Nagar, Delhi is quashed. All proceedings arising therefrom also stand closed.
10. Petition stands disposed-of.
11. Pending applications, if any, also stand disposed-of.

**ANUP JAIRAM BHAMBHANI, J**

**SEPTEMBER 20, 2024/ak**