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

\+ CRL.M.C. 6603/2024 & CRL.M.A. 25216/2024

BHUMI KINNAR AND ANR .....Petitioners

Through: Mr. Rishi Manchanda with Mr. Devender Hora, Mr. Gazal Hora and Mr. Arun Kumar, Advocates.
Petitioners in court.

versus

STATE NCT OF DELHI AND ANR. .....Respondents

Through: Mr. Utkarsh, APP for the State with Mr. Hasan Raza Khan, Mr. Vishal B, Mr. Rifa Khan, Mr. Akshay Rathur and Ms. Kanika Jain, Advocates.
Mr. Yugansh Sharma, Advocate for R2 with R2 *via* video-conferencing.

CORAM:
HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

O R D E R

% **23.08.2024**

CRL.M.A. 25215/2024

Exemption granted, subject to just exceptions.

The application stands disposed-of.

Crl. M.C.6603/2024

By way of the present petition filed under section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioners and complainant/respondent No. 2, seek quashing of case FIR No.463/2016 dated 20.05.2016 registered under sections 363/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: Tilak Nagar, Delhi. Consequent upon completion of investigation, *vide* chargesheet dated 22.07.2016 sections 363-A/506 IPC, were added.

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2. The petition is premised on Memorandum of Understanding/ Compromise Deed dated 12.08.2024 whereby the petitioners and respondent No. 2 have resolved the matter amicably.

3. The petition is also supported by affidavits of the petitioners and of respondent No. 2, alongwith proofs of their I.D.s.

4. The petitioners are present in court and respondent No. 2 has joined the proceedings *via* video-conferencing. Their credentials have been verified and they have also been identified by their respective counsel.

5. The court has interacted with the petitioners, as also with respondent No.2, who have confirmed that they have now resolved the matter and a Memorandum of Understanding/Compromise Deed dated 12.08.2024 has been signed by them closing all issues amicably. 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. 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.

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8. Accordingly, FIR No. 463/2016 dated 20.05.2016 registered under sections 363/34 IPC at P.S.: Tilak Nagar, Delhi is quashed. All proceedings arising therefrom also stand closed.

9. Petition stands disposed-of.

10. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

AUGUST 23, 2024
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