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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CRL.M.C. 477/2016

GURPEJ SINGH & ANR

..... Petitioners

Through
versus

Mr Sanjay Mishra and Mr Santosh, Advs.

STATE OF NCT OF DELHI & ORS

..... Respondents

Through

Mr Hirein Sharma, Additional Public
Prosecutor for the State alongwith Sub
Inspector Narender Singh Police Station
Malviya Nagar, Delhi
Mr Sandeep Kumar, Adv. for R2 & 3
alongwith R2 in person

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA

ORDER

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01.03.2016

This is a petition under Section 482 Cr.PC moved by the petitioners for quashing of FIR No.249/2011 registered at Police Station Malviya Nagar, New Delhi under Sections 354/356/379/323/34 IPC and consequent proceedings emanating therefrom on the ground that the parties have compromised the matter.

It is submitted by counsel for the petitioners that due to bonafide efforts of the parties, the disputes between the petitioners and the respondent nos. 2 and 3 have been settled amicably during the pendency of trial and the statements of the respondent nos. 2 and 3 were recorded before learned Metropolitan Magistrate, Saket Court on 06.11.2013 and accordingly this petition for quashing of FIR has been filed.

The respondent No.2/complainant is present in person (duly identified by the Investigating Officer and her counsel) and admits that she as well as the respondent no.3 have compromised with the petitioners and their statements were recorded by learned Metropolitan Magistrate on 06.11.2013 in this regard. However, she submits that an undertaking be furnished by the petitioners that they will not harass or repeat such acts in future. She further submits that she and the respondent no. 3 have amicably resolved all disputes with the petitioners voluntarily without there being any threat, coercion or pressure of any sort and in view of the settlement arrived at between the parties, she does

not want any action against the petitioners and does not have any objection to quashing of the instant FIR.

Mr Hirein Sharma, Additional Public Prosecutor for the State submits that in view of the settlement arrived at between the parties, he has no objection to quashing of FIR, however, since State machinery has been used, some costs may be imposed upon the petitioners. It is further submitted by learned Additional Public Prosecutor for the State, under instructions of the Investigating Officer, that the petitioners are not involved in any other case in Police Station Malviya Nagar, New Delhi.

As desired by the complainant, undertaking has been furnished by the petitioners and handed over to the complainant.

Keeping in view the facts that the parties have compromised the matter with each other amicably, no useful purpose would be served by continuing the criminal proceedings against the petitioners, which will only be an exercise in futility and wastage of precious time of the Court.

Accordingly, the petition is allowed and the FIR No.249/2011 registered at Police Station Malviya Nagar, New Delhi under Sections 354/356/379/323/34 IPC and consequent proceedings emanating therefrom are hereby quashed subject to payment of Rs.20,000/- each as costs to be deposited by the petitioners with Prime Minister Relief Fund within two weeks. Copy of receipt of deposit of costs be placed on record.

The petition stands disposed of accordingly.

A copy of this order be given *dasti* to counsel for the petitioners.

SUNITA GUPTA, J

MARCH 01, 2016/*rd*