

\$~36

* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ W.P.(CRL) 1087/2016
GAJENDER PAL GAUTAM

Through Mr Rajesh Kumar, Adv. Petitioner
alongwith
petitioner in person
versus
STATE OF NCT

Through Ms Kamna Vohra, ASC for State alongwith
Sub Inspector Sumitra Sharma Police
Station Rajouri Garden, Delhi
Mr Varun Gupta, Adv. for the respondent
no.2/complainant alongwith respondent no.2
in person

CORAM:
HON'BLE MS. JUSTICE SUNITA GUPTA

ORDER

% 04.04.2016

Crl. MA 5596/2016 (exemption)

Exemption allowed subject to all just exceptions.

The application stands disposed of.

W.P. (Crl.) 1087/2016

This is a petition under Article 226 of the Constitution read with Section 482 Cr.P.C. moved by the petitioner for quashing of FIR No.255/2015 registered at Police Station Rajouri Garden, Delhi under Section 354 IPC and consequent proceedings emanating therefrom on the ground that the parties have compromised the matter.

It is submitted by counsel for the petitioner that the respondent no.2 was working as maid servant with the petitioner. Due to certain disputes, she lodged the present FIR against the petitioner whereas another FIR bearing 258/2015 354/506/341/34 IPC was registered on the basis of a complaint made by the wife of the petitioner against the respondent no.2 and her husband. Both the matters have been amicably settled between the parties. An affidavit of the respondent no.2 has been filed in this regard which is at pgs. 9-10 of the petition. As such, it is prayed that the instant FIR be quashed.

The respondent No.2/complainant, who is present in person (duly identified by the Investigating Officer of the case as well as by her counsel) states that she has amicably resolved all disputes with the petitioner 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 petitioner and does not have any objection to quashing of the instant FIR.

Ms Kamna Vohra, ASC for State submits that since the case is at a preliminary stage and only charge-sheet has been filed and the fact that a settlement has been arrived at between the parties, she has no objection to quashing of FIR.

Keeping in view the facts that the parties have compromised the matter with each other amicably, this matter deserves to be given a quietus as continuance of proceedings arising out of the FIR in question would be an exercise in futility and wastage of precious time of the Court.

Accordingly, the petition is allowed and the FIR No.255/2015 registered at Police Station Rajouri Garden, Delhi under Section 354 IPC and consequent proceedings emanating therefrom are hereby quashed.

The petition stands disposed of accordingly.

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

SUNITA GUPTA, J

APRIL 04, 2016/*rd*