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

+ **W.P.(CRL) 1252/2016**

BABITA & ANR

..... Petitioner

Represented by: **Mr. Suman Tanwar, Adv.**

versus

STATE (GOVT OF NCT) & ANR

..... Respondent

Represented by: **Mr. Rajesh Mahajan, ASC with
SI Manish Tyagi, PS Khajuri
Khas.**

**Mr. Pradeep Kumar Arya, Mr.
Vijay Kumar, Ms. Sarika
Soam, Adv. for R-2.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

07.10.2016

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By the present petition the petitioners seek quashing of FIR No. 1139/2015 under Sections 354/509/506/34 IPC registered at PS Khajuri Khas, Delhi on the complaint of Respondent No.2.

Learned counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR the three petitioners who have been impleaded by the amended memo of parties are the only accused and respondent No.2 the only complainant/ victim.

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Respondent No. 2 is present in Court and is identified by the learned counsel and the Investigating Officer. She states that she has settled the matter with the Petitioners and do not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

The above-noted FIR was registered on the complaint of respondent No.2 on 20th October, 2015 on the incident dated 8th October, 2015 claiming that she has been receiving abuses on the mobile phone and somebody was talking in a filthy and uncivilized language. On instructions from the investigating officer learned Additional Standing Counsel submits that till date the complainant has not handed-over the mobile phone on which alleged filthy abuses were given to her. The above-noted FIR has been got registered by the mother of Amit who is an accused in case FIR No.388/2015 under Sections 354A/354D/506/509 IPC. The present FIR is apparently a counter-blast to the FIR lodged on the complaint of petitioner No.1 against the son of the respondent No.2 who is working as a Police Constable. It may also be noted that after the registration of the above-noted FIR the son of the respondent No.2 was also involved in FIR No.366/2016 under Section 365 IPC at PS Khajuri Khas.

Since no useful purpose would be served in continuing with the proceedings, as respondent No.2 does not wish to pursue the above-noted FIR and there is no legal impediment in quashing the same, FIR in question is quashed subject to imposition of cost on the respondent No.2.

Consequently, FIR No. 1139/2015 under Sections 354/509/506/34 IPC registered at PS Khajuri Khas, Delhi and proceedings pursuant thereto are hereby quashed subject to the respondent No.2 paying a cost of ₹10,000/- to the Prime Minister's Relief Fund within a period of four weeks.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

The petition is disposed of. Order dasti.

MUKTA GUPTA, J.

OCTOBER 07, 2016
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