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

+ **CRL.M.C. 1695/2016**

HIMMAT SINGH & ANR

..... Petitioner

Represented by: Mr. Sunil Kumar, Adv.

versus

STATE (NCT OF DELHI) & ANR

..... Respondent

Represented by: Ms. Meenakshi Chauhan, APP
with SI Omveer Singh, PS
Nand Nagri.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

24.11.2016

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By the present petition the petitioners seek quashing of FIR No. 162/2012 under Sections 323/341/354/34 IPC registered at PS Nand Nagri, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned APP for the State on instructions from Investigating Officer submits that though three accused were named in the FIR, however during investigation it was revealed that third accused Punit was not present at the spot and thus he was kept in column No.12 in the charge-sheet and he has not been summoned by the learned Trial Court nor charge has been framed against him. Thus, the two petitioners 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 Investigating Officer. She states that she has settled the matter with the petitioners who are her neighbours and in view thereof she does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

The petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2.

In view of the fact that the parties have amicably resolved their differences of their own free will, volition and without any coercion and no useful purpose will be served in continuance of the proceedings, rather the same would create further acrimony between them, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

Consequently, FIR No. 162/2012 under Sections 323/341/354/34 IPC registered at PS Nand Nagri, Delhi and proceedings pursuant thereto are hereby quashed.

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.

NOVEMBER 24, 2016
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