

11# \$~

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

+ **CRL.M.C. 1769/2016**

SANJAY

..... Petitioner

Represented by: Mr. Amit Rao, Advocate with
petitioner in person.

versus

STATE & ANR

..... Respondents

Represented by: Mr. Ashok K. Garg, APP for
the State with SI Yogendra, PS
Gulabi Bagh.
Respondent Nos. 2 and 3 in
person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

23.11.2016

%

By the present petition the petitioner seeks quashing of FIR No. 40/2012 under Sections 452/354/323 IPC registered at PS Gulabi Bagh, 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 submits that in the above noted FIR the petitioner is the only accused and the respondent No. 2 the complainant/victim and the respondent No.3 the other victim. He states that no other person is involved in the above noted FIR.

The Respondent Nos. 2 and 3, who is present in Court and are identified by the Investigating Officer state that they have settled the matter with the petitioner in terms of the compromise deed dated 4th January, 2016

CRL.M.C. 1769/2016

Page 1 of 2

as the parties are living in neighbourhood and they do not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

Petitioner who is present in Court and is identified by the learned counsel affirms the statement of respondent Nos.2 and 3. He tenders his unqualified apology and assures that no such misbehaviour will take place in future and he will abide by the terms of the settlement dated 4th January, 2016. To show remorse, the petitioner seeks to deposit a cost of ₹10,000/-.

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. 40/2012 under Sections 452/354/323 IPC registered at PS Gulabi Bagh, Delhi and proceedings pursuant thereto are hereby quashed subject to the petitioner depositing ₹10,000/- with the Bar Council of Delhi Advocates' Welfare Fund within 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.

NOVEMBER 23, 2016/‘vn’

CRL.M.C. 1769/2016

Page 2 of 2