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

+ CRL.M.C. 2070/2016 & CrI.M.A. 8795/2016

PAWAN

..... Petitioner

Represented by: Mr. Rahul Kumar Singh, Adv.
with petitioner.

versus

THE STATE & ORS

..... Respondent

Represented by: Mr. Ashok Kumar Garg, APP
with SI Satish Pandey, PS
Aman Vihar.
R-3 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

02.11.2016

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By the present petition, the petitioner seeks quashing of FIR No.96/2011 under Section 363 IPC registered at PS Aman Vihar on the complaint of respondent No.3 wherein Section 506 IPC was added later on pursuant to the statement of the prosecutrix recorded under Section 164 Cr.P.C. and proceedings pursuant thereto as the parties have settled the matter.

Learned APP for the State on instructions submits that in the above noted FIR the petitioner is only accused and respondent No.3 is only complainant/victim. Though respondent No.2 i.e. father of the prosecutrix is also a party however since respondent No.3 is now major as per her date of birth certificate enclosed at page No.29 of the paper book, respondent No.2 is not a necessary party in the present petition.

Respondent No.3 is present in Court and identified by the investigating officer. She states that she agrees to the terms of settlement deed dated 6th January, 2016 arrived at between her father and the petitioner as respondent No.3 was minor at that time. She submits that she does not wish to pursue the above noted FIR and the proceedings pursuant thereto. The petitioner who is present in Court and identified by learned counsel affirms the statement of respondent No.3 and states that he will abide by the terms of settlement deed dated 6th January, 2016.

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.96/2011 under Section 363/506 IPC registered at PS Aman Vihar, 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 and application are disposed of. Order dasti.

MUKTA GUPTA, J.

NOVEMBER 02, 2016
‘v mittal’