

\$~2

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

+ **CRL.M.C. 2757/2016**

AMIT KUMAR

..... Petitioner

Represented by: Mr. Manish Kumar, Adv.

versus

STATE (GOVT OF DELHI) & ORS

..... Respondent

Represented by: Mr. Ashok Kumar Garg, APP
with SI Manish Tyagi, PS
Khajuri Khas.
Mr. Suman Tanwar, Adv. for
R-2&3.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

07.10.2016

%

By the present petition the petitioner seeks quashing of FIR No. 366/2016 under Sections 365/509 IPC registered at PS Khajuri Khas, Delhi on the complaint of Respondent No.2 who lodged the above-noted FIR when he found that his wife respondent No.3 was not traceable.

Learned counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR petitioner is the only accused, respondent No.2 the complainant and respondent No.3 the victim. He states that despite the fact that parties have entered into a settlement and the FIR in question could be quashed, however the same would not be treated as a bar

CRL.M.C. 2757/2016

page 1 of 2

on proceeding against the petitioner in departmental proceedings which have been initiated.

Respondent No. 2 and 3 are present in Court and are identified by their counsel and the Investigating Officer. They state that they have settled the matter with the Petitioner and do not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

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, 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. 366/2016 under Sections 365/509 IPC registered at PS Khajuri Khas, Delhi and proceedings pursuant thereto are hereby quashed. It is clarified that quashing of FIR No.366/2016 will in no way affect the departmental proceedings against the petitioner.

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
‘ga’

CRL.M.C. 2757/2016

page 2 of 2