

\$~12

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

+ **W.P.(CRL) 2531/2016**

**BANKEY BIHARI LAL AGARWAL @
BITTU AGARWAL & ANR**

..... Petitioner

Represented by: **Mr. Satish Sharma, Adv.**

versus

STATE OF NCT OF DELHI & ANR

..... Respondent

Represented by: **Mr. Piyush Aggarwal, Adv. for
Mr. Ashish Aggarwal, ASC
with SI Parvesh Kumar, PS
Krishna Nagar.
Mr. Vinayak Kamra, Mr.
Vishnu Sharma, Adv. for R-
2,3&4.**

**CORAM:
HON'BLE MS. JUSTICE MUKTA GUPTA**

**ORDER
07.11.2016**

%

As per the amended memo of parties all the three victims have been impleaded as parties.

By the present petition the petitioners seek quashing of FIR No. 391/2016 under Sections 354/509/323/34 IPC registered at PS Krishna Nagar, 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 are the only

W.P.(CRL) 2531/2016

page 1 of 3

accused respondent No.2 the complainant/ victim and besides her two sons who have now been impleaded as respondent No.3 and 4 are the other two victims. He further states that respondent No.3 is a major and respondent No.4 is a minor.

Respondent No. 2 on her behalf and on behalf of respondent No.4 and respondent No.3 are present in Court and are identified by the Investigating Officer. They state that they have settled the matter with the petitioners in terms of the settlement deed dated 10th August, 2016 and they do not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2 and 3 and state that they will abide by the terms of settlement arrived at between the parties. They further tender their unqualified apology and assure that no such misbehaviour will take place in future.

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. 391/2016 under Sections 354/509/323/34 IPC registered at PS Krishna Nagar, 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 07, 2016
‘ga’