

26# \$~

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

+ W.P.(CRL) 2562/2016 and Crl. M.A. No. 13547/2016 (Stay)

WAZIR & ORS

..... Petitioners

Represented by: Mr. Vikas Yadav and Mr.
Raman Bharti, Advocates with
petitioners in person.

versus

STATE & ORS

..... Respondents

Represented by: Mr. Sanjay Lao, Additional
Standing Counsel for the State
with SI Kamlesh, PS Dabri.
Mr. Inder Shekar and Mr.
Jitender Solanki, Advocates for
Respondent Nos. 2 to 4 with
respondent Nos. 2 to 4 in
person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

23.09.2016

%

By the present petition the petitioners seek quashing of FIR No. 1106/2015 under Sections 452/354A/354B/509/376/511/34/354 IPC registered at PS Dabri, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

A perusal of the FIR reveals that the allegations of the complainant are of molesting her by tearing her blouse and there is prima facie no allegation of attempt to rape.

W.P.(CRL) 2562/2016

Page 1 of 3

Learned Additional Standing Counsel for the State on instruction from the Investigating Officer submits that after completion of investigation a charge sheet has been prepared for offence punishable under Sections 354A/354B/452/509 IPC and the same is likely to be filed shortly. He further states that in the above noted FIR the seven petitioners are the only accused and the respondent No.2, is the complainant and respondent Nos. 3 and 4 are the other victim and no other accused or victim is involved in the present FIR.

The Respondent Nos. 2 to 4 who are present in Court and are identified by the learned counsel and Investigating Officer state that they have settled the matter with the Petitioners and in view of the settlement between the parties, they do not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

The petitioners who are present in Court and are identified by their counsel affirm the statement of respondent Nos. 2 to 4 and state that harmony will be maintained between the relations between the parties and state that petitioners would abide by the terms of the settlement.

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. Since there is no allegation of attempt to rape and charge sheet for offence punishable under Sections 376/511 IPC is not being filed by the State, there is no legal impediment in quashing the FIR in question.

Consequently, FIR No. 1106/2015 under Sections 452/354A/354B/509/376/511/34/354 IPC registered at PS Dabri, 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.

SEPTEMBER 23, 2016
‘vn’