

\$~31

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

+ **CRL.M.C. 4368/2016**

VIJAY KUMAR

..... Petitioner

Represented by: **Mr. Ghanshyam Thakur, Adv.**

versus

STATE & ANR.

..... Respondent

Represented by: **Mr. Ashok Kumar Garg, APP**
with SI Yogesh Kumar PS
Maya Puri.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

23.11.2016

%

CrI.M.A. 18230/2016

Exemption allowed subject to just exceptions.

CRL.M.C. 4368/2016

By the present petition the petitioner seeks quashing of FIR No. 50/2014 under Sections 342/354D IPC registered at PS Maya Puri, 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 from Investigating Officer submits that in the above-noted FIR the petitioner is the only accused and respondent No.2 the only complainant/ victim.

CRL.M.C. 4368/2016

page 1 of 3

Respondent No. 2 is present in Court and is identified by the Investigating Officer. She states that she has settled the matter with the petitioner before the Delhi Mediation Centre at Tis Hazari Courts as he has apologised to her and assured to her that no misbehaviour will take place in future. She does not wish to pursue the above-mentioned FIR and the proceedings pursuant thereto.

Petitioner who is present in Court and is identified by the learned counsel affirms the statement of respondent No.2 and states that he would abide by the terms of settlement arrived at between the parties on 1st December, 2014 at the Delhi Mediation Centre, Tis Hazari Courts. He further tenders his unqualified apology and assures that no such misbehaviour will take place in future. In order to show remorse the petitioner agrees to deposit a cost of ₹15,000/-.

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. 50/2014 under Sections 342/354D IPC registered at PS Maya Puri, Delhi and proceedings pursuant thereto are hereby quashed subject to the petitioner depositing a cost of ₹15,000/- with the Delhi High Court Staff Welfare Fund within four weeks from today.

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
‘ga’