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

+ **CRL.M.C. 1644/2016**

MOHD. ZAKIR @ GUDDU

..... Petitioner

Represented by: Mr. Gurjit Singh, Adv.

versus

THE STATE (GOVT OF NCT OF DELHI) & ANR

..... Respondent

Represented by: Mr. Ashok Kumar Garg, APP
with SI Karamvir PS Narela.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

02.09.2016

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By the present petition, the Petitioner seeks quashing of FIR No. 495/2008 under Sections 363 IPC registered at PS Narela, Delhi on the complaint of Respondent No.3 who is the father of respondent No.2 the victim on the ground that the parties have settled the matter.

Learned APP for the State on instructions from Investigating Officer submits that the above-noted FIR was registered on the complaint of respondent No.3 when his daughter went missing and after the investigation charge-sheet was filed for offences punishable under Section 363/376 IPC. He further submits that after matter was committed to the learned Sessions Court at the time of argument on charge the learned Additional Sessions Judge ordered that the charge only under Section 363 IPC was made out

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against the petitioner and hence sent back the file to the learned MM for trial for offence punishable under Section 363 IPC. He states that the petitioner is the only accused in the above-noted FIR and the respondent No.2 the only victim who is now a major.

Respondent Nos. 2 and 3 are present in Court and are identified by the learned counsel and the Investigating Officer. They state that they have settled the matter with the petitioner and do not wish 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, 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. 495/2008 under Sections 363 IPC registered at PS Narela, 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.

SEPTEMBER 02, 2016
‘ga’

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