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

+ **W.P.(CRL) 317/2017**

SATNARAYAN & ORS

..... Petitioners

Represented by: Ms. Seema Sharma and Mr.
Yasvir, Advocates with
petitioner Nos. 1, 2 and 3 in
person.

versus

STATE OF DELHI (NCT) & ANR.

..... Respondents

Represented by: Mr. Piyush Singhal, Advocate
for Mr. Ashish Agarwal,
Additional Standing Counsel
for the State with W/SI Manju,
PS J.P. Kalan.
Respondent Nos. 2 and 3 in
person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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16.03.2017

At the outset it may be noted that the memo of parties filed by the petitioners on 6th January, 2017 was the correct memo of parties to which objection was raised by the Registry. Registry will treat the memo of parties filed on 6th January, 2017 as the correct memo of parties in the present petition.

By the present petition the petitioners seek quashing of FIR No. 214/2016 under Sections 354/354A/379/323/34 IPC registered at PS Jafarpur Kalan, Delhi on the complaint of Respondent No.2 and the
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proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned proxy counsel for the learned Additional Standing Counsel for the State on instructions submits that in the above noted FIR the four petitioners are the only accused and the respondent No.2 the complainant/victim and the respondent No.3 the other victim.

The Respondent Nos. 2 and 3 are present in Court and are identified by the Investigating Officer. They state that they have settled the matter with the petitioners who are members of their extended family vide Memorandum of Understanding dated 23rd November, 2016. In terms of the settlement the respondent Nos. 2 and 3 do not want to pursue the abovementioned FIR and the proceedings pursuant thereto. They further undertake to abide by the terms and conditions of the Memorandum of Understanding dated 23rd November, 2016.

Petitioner Nos. 1, 2 and 3 are present in Court and are identified by learned counsel. Petitioner No.4 is the wife of petitioner No.2. Learned counsel for the petitioners submits that respondent No.4 has delivered a child on 12th March, 2017 and thus not in a position to come to the Court. She has executed a power of attorney in favour of petitioner No.2 her husband which is handed over to the Court and taken on record. Petitioner Nos. 1 and 3 and the petitioner No.2 on his behalf and on behalf of petitioner No.4 affirm the statement of respondent No.2 and state that they will abide by the terms of the Memorandum of Understanding dated 23rd November, 2016.

In view of the fact that the parties have amicably resolved their
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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. 214/2016 under Sections 354/354A/379/323/34 IPC registered at PS Jafarpur Kalan, 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.

MARCH 16, 2017
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