

29# \$~

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

+ **CRL.M.C. 973/2017**

SURAJ

..... Petitioner

Represented by: Mr. Pramod Kumar Kharwar
and Mr. Sher Singh, Advocates
with petitioner in person.

versus

STATE & ANR.

..... Respondents

Represented by: Ms. Meenakshi Chauhan, APP
for the State with SI M.K.
Manoj, AATS/East.
Mr. Vikas Tripathi and Ms.
Mandavi Pandey, Advocates
for the respondent No.2 with
respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

%

09.03.2017

Crl. M.A. No. 4053/2017 (Delay in refiling)

For the reasons stated in the application delay of 17 days in refiling the petition is condoned.

Application is disposed of.

CRL.M.C. 973/2017

By the present petition the petitioner seeks quashing of FIR No. 340/2014 under Sections 363 IPC registered at PS Mayur Vihar, Phase-I, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

CRL.M.C. 973/2017

Page 1 of 3

Learned APP for the State on instructions submits that in the above noted FIR the petitioner is the only accused and the respondent No.2 the complainant however, the victim who is the daughter of the respondent No.2 and is a minor has not been impleaded as a party.

On the oral prayer of the learned counsel for the petitioner, the victim through her natural guardian, that is, her mother respondent No.2 is permitted to be impleaded as respondent No.3.

Amended memo of parties is taken on record.

The complainant/Respondent No. 2 is present in Court and is identified by the learned counsel and the Investigating Officer. Respondent No.2 on her behalf and on behalf of her minor daughter, respondent No.3 states that she has settled the matter with the petitioner and does not want to pursue the abovementioned FIR and the proceedings pursuant thereto in the best interest of the respondent No.3, her minor daughter.

Even as per the statement of the respondent No.3 recorded under Section 164 Cr.P.C. since the family of the petitioner was trying to marry him, the respondent No.3 left along with him however, she clarified that the petitioner committed no illegal act with her.

Considering the nature of allegations and the fact that the parties have settled the matter of their own free will, volition and without any coercion and the respondent No.2 does not wish to pursue the above noted FIR and the proceedings pursuant thereto, 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. 340/2014 under Sections 363 IPC registered at PS Mayur Vihar, Phase-I, Delhi and proceedings pursuant thereto are hereby quashed.

Petitioner and the respondent No.2 on her behalf and on behalf of her minor daughter respondent No. 3 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 09, 2017
‘vn’