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

+ **CRL.M.C. 613/2017**

SWAMI (DR) PARTHASARATHY

..... Petitioner

Represented by: Mr. Ajay Burman, Sr. Adv.
with Ms. Sadhvi Gaur, Mr.
Harsit Khurana, Advs.

versus

STATE (NCT OF DELHI) & ANR

..... Respondent

Represented by: Ms. Meenakshi Chauhan, APP
with SI Manish Yadav, PS
Vasant Kunj (North).
Ms. Ruchi Kapur, Adv. for
R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

14.02.2017

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CrI.M.A. 2635/2017

Exemption allowed subject to just exceptions.

CRL.M.C. 613/2017 & CrI.M.A. 2634/2017 (stay)

By the present petition the petitioner seeks quashing of FIR No. 986/2015 under Sections 354A/506 IPC registered at PS Vasant Kunj (North), 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. She further states that charge-sheet

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for offences punishable under Section 323/354/354A/506/509 IPC has been filed before the learned Metropolitan Magistrate without arresting the petitioner as his arrest was not necessary for investigation.

Respondent No. 2 is present in Court and is identified by the learned counsel and the Investigating Officer. She states that she has settled the matter with the petitioner vide Memorandum of Understanding dated 6th February, 2017 and in lieu of all her claims of salary, salary for notice period etc., she has received a sum of ₹1,40,000/- by way of demand draft No. '875482' drawn on Union Bank and now she has no claim whatsoever either against the petitioner or Sri Sharada Institute of Indian Management – Research Foundation (in short SRISIIM) where she was working as a Student's Advisor. She states that she will abide by the terms of settlement arrived at between the parties and does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

The petitioner who is present in Court and is identified by the learned counsel affirm the statement of respondent No.2 and states that he would abide by the terms of settlement arrived at between the parties on 6th February, 2017.

Since the parties have settled the matter 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 be an abuse of the process of the Court, 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. 986/2015 under Sections 354A/506 IPC registered at PS Vasant Kunj (North), 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.

FEBRUARY 14, 2017
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