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

+ **CRL.M.C. 756/2017**

MAHTAB SINGH & ORS

..... Petitioner

Represented by: Mr. Divya Darshan Sharma,
Mr. Yogesh Sharma and Ashok
Kumar, Advs. with petitioners.

versus

STATE & ANR

..... Respondent

Represented by: Mr. Ashok Kumar Garg, APP
with ASI Jagdish Prasad, PS
Roop Nagar.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
09.05.2017

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1. By the present petition, the Petitioners seek quashing of FIR No. 639/2015 under Sections 323/342/365/386/34 IPC registered at PS Roop Nagar, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that parties have settled the matter.
2. Learned APP for the State on instructions states that in the above noted FIR, the four petitioners are the only accused and respondent No.2 the only complainant/victim.
3. Respondent No. 2 is present in Court and identified by the Investigating Officer. He states that he has settled the matter with the petitioners vide settlement deed dated 7th February, 2017 copy whereof has been placed at pages 76 to 81 of the paper book. He states that now he has no grievance against the petitioners and the amount of ₹85,000/- which he

had borrowed from petitioner No.1 has also been repaid to him. He states that he does not wish to pursue the above noted FIR and the proceedings pursuant thereto. The petitioners who are present in Court and identified by learned counsel affirm the statement of respondent No.2 and state that the amount of loan i.e. ₹85,000/- given to respondent No.2 has been duly returned to petitioner No.1.

4. 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.

5. Consequently, FIR No. 639/2015 under Sections 323/342/365/386/34 IPC registered at PS Roop Nagar, Delhi and proceedings pursuant thereto are hereby quashed.

6. Parties have signed this order sheet in acknowledgment of their statements made before this Court.

7. Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

MAY 09, 2017
‘v mittal’