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

+ **CRL.M.C. 776/2017**

ADESH SHARMA & ANR

..... Petitioner

Represented by: Mr. R.K. Lamba, Adv.

versus

STATE & ANR

..... Respondent

Represented by: Ms. Meenakshi Chauhan, APP
with SI Kamlesh PS Dabri.
Mr. Udit Mishra, Ms. Kamal,
Adv. for R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

27.02.2017

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CrI.M.A. 3311/2017

Exemption allowed subject to just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 218/2015 under Sections 323/354/354B/509/34 IPC registered at PS Dabri, 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 two petitioners are the only accused and respondent No.2 the only complainant/ victim.

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

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matter with the petitioners before the Mediation Centre, Dwarka Courts where only partial settlement was accepted as part offences were not compoundable. She however states that she does not wish to pursue the above-noted FIR and the proceedings pursuant against the petitioners as petitioner No.1 is the brother-in-law and petitioner No.2 the relative of petitioner No.1.

Petitioners who are present in Court affirm the statement of respondent No.2 and state they will abide by the terms of settlement arrived at between the parties before the Mediation Centre, Dwarka Courts on 3rd January, 2017.

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. 218/2015 under Sections 323/354/354B/509/34 IPC registered at PS Dabri, 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.

FEBRUARY 27, 2017
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