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

+ **W.P.(CRL) 740/2017**

ASHISH GUPTA Petitioner

Through : Ms. Samta Jain, Adv.

Versus

STATE (NCT OF DELHI) & ORS Respondents

Through :Mr. Ashish Aggarwal, ASC with SI
Puneet Bharti, P.S. Sarai Rohilla,
Delhi for the State
Mr. Sudhir Kumar Ojha, Adv. with
respondent nos. 2 & 3 in person.

CORAM:
HON'BLE MR. JUSTICE A.K. PATHAK

ORDER
% **10.03.2017**

It is submitted that petitioner and respondent no. 2 have settled their disputes amicably. Respondent no. 2 is sister-in-law of petitioner; whereas respondent no. 3 is wife of petitioner. Learned Additional Standing Counsel submits that respondent no. 3 is neither the complainant nor a victim in the matter. However, it is submitted that petitioner and respondent no. 3 have settled their disputes amicably before the Delhi Government Mediation &

Conciliation Centre on 10th November, 2016, on the terms and conditions as stipulated in 'Annexure E'. It is further submitted that out of total settled amount of ₹13 lacs, ₹3 lacs has to be paid by the petitioner to the respondent no. 3 at the time of first motion; ₹5 lacs at the time of quashing of the present FIR and remaining settled amount of ₹5 lacs at the time of second motion, in terms of the settlement. ₹5 lacs has been paid by the petitioner to the respondent no. 3 today in Court vide five demand drafts, photocopies whereof have been placed on record.

Respondent no. 2 is present in Court along with her counsel and has been identified by SI Puneet Bharti, P.S. Sarai Rohilla, Delhi. Respondent no. 2 submits that she has settled the matter with the petitioner of her own free will and without any undue force, coercion and pressure. She further submits that she is not willing to pursue the FIR any further and the same may be quashed.

Keeping in mind the fact that settlement has been arrived at between the petitioner and respondent no. 2 before the Mediation Centre and that respondent no. 2 is not willing to pursue the FIR any further, no fruitful purpose would be served to keep them entangled in the criminal proceedings. Accordingly, in the interest of justice, FIR No.306/2016 under

Sections 323/509/354 IPC registered at Police Station Sarai Rohilla and the consequent proceedings emanating therefrom are quashed.

Petition is disposed of in the above terms. Dasti.

A.K. PATHAK, J.

MARCH 10, 2017
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