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

+ **CRL.M.C. 1087/2017**

RAGHUBIR SINGH OBEROI & ANR

..... Petitioners

Represented by: Mr.Rohit Bharadwaj and Mr.
Govind Manoharan, Advocates
with petitioners in person.

versus

STATE (GOVT. OF NCT OF DELHI) & ANR. Respondents

Represented by: Mr. Ashok K. Garg, APP for
the State with SI Mukesh
Kumar, PS Sarita Vihar.
Mr. Mohit Jolly and Ms.
Jatinder Randhawa, Advocates
for the respondent No.2 with
respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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17.03.2017

Crl. M.A. No.4505/2017 (exemption)

Allowed, subject to all just exceptions.

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By the present petition the petitioner seeks quashing of FIR No. 475/2016 under Sections 354/323/506/34 IPC registered at PS Sarita Vihar, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Issue notice.

Learned APP accepts notice on behalf of the State.

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Learned APP for the State on instructions submits that in the above noted FIR besides the petitioner Raghubir Singh Oberoi, Ms. Davinder Oberoi, his wife is also an accused who has not been impleaded as petitioner. He further states that the respondent No.2 is the only complainant/victim in the above noted FIR.

Learned counsel for the petitioner has handed over an amended memo of parties which is taken on record.

Notice is also accepted by learned counsel for the respondent No.2 who is present along with respondent No.2.

Respondent No.2 Ms. Shilpa Khindri who is present in Court and is identified by the learned counsel and the Investigating Officer states that she has settled the matter with the petitioners in terms of the Settlement Agreement dated 24th February, 2017, copy whereof is annexed as Annexure -C at pages 32 to 34 of the paper-book. She states that she does not want to pursue the abovementioned FIR and the proceedings pursuant thereto and she will abide by the terms of the settlement.

Petitioners who are present in Court and are identified by learned counsel affirm the statement of respondent No. 2 and state that they will abide by the terms of the Settlement Agreement dated 24th February, 2017 arrived at between the parties.

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, 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. 475/2016 under Sections 354/323/506/34 IPC registered at PS Sarita Vihar, Delhi and proceedings pursuant thereto are hereby quashed, subject to the petitioners depositing a total sum of ₹5,000/- with the Juvenile Justice Fund maintained by the Registrar General of this Court within four weeks.

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.

MARCH 17, 2017

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