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

+ **CRL.M.C. 1176/2017**

ATTAR SINGH & ORS.

..... Petitioner

Represented by: Mr. Abhishek Paruthi, Adv.

versus

STATE & ANR.

..... Respondent

Represented by: Mr. Amit Ahlawat, APP with
SI Raj Kumar PS Neb Sarai, SI
Vivek Malik PS V.K.(South).
4Mr. Animesh Gaba, Adv. for
R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

22.03.2017

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CrI.M.A. 4825/2017

Exemption allowed subject to just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 226/2013 under Sections 448/380/506/34 IPC registered at PS Neb Sarai, 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 four 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. He states that he had lodged two

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FIRs against the petitioners being FIR No.207/2013 and 226/2013 both at PS Neb Sarai. After the matter was settled between the parties before the Mediation Centre, Saket Courts on 5th July, 2016 FIR No. 207/2013 registered at PS Neb Sarai has been compounded before the learned Trial Court on 1st August, 2016. He further states that the civil suit filed by the petitioners No.1 to 4 before the Civil Judge -02 (South), Saket Courts has been decreed pursuant to the settlement on 28th October, 2016 wherein the petitioners have made statements on their behalf and on behalf of the other parties who had authorized them that they have no claim whatsoever remaining in the suit property N-32, N-Block, Sanik Farm South, New Delhi-110026 which is a property admeasuring a total of 1008 square yards. He states that since parties have entered into a holistic settlement before the Mediation Centre, Saket Courts and thereafter the civil suit has been decreed and the other FIR being FIR No.207/2013 compounded, he does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

Petitioners who are present in Court affirm the statement of respondent No.2 and state that they will abide by the terms of settlement 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, 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. 226/2013 under Sections 448/380/506/34 IPC registered at PS Neb Sarai, Delhi and proceedings pursuant thereto are hereby quashed.

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

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

MARCH 22, 2017
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