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

+ CRL.M.C. 1337/2017

JITENDER SINGH

..... Petitioner

Through: Mr. Rahul Kumar and Mr. Jatinder
Pal Singh, Advocate with petitioner in
person

versus

STATE OF DELHI (NCT) & ANR

..... Respondents

Through: Mr. Ashish Dutta, APP for State
SI Sachin Kumar, PS Amar Colony
Respondent No. 2 in person

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **17.04.2017**

The petitioner seeks quashing of the FIR bearing No. 440/2013 (P.S.Amar Colony) dated 09.11.2013 instituted under Section 365/323/354/506/34 of the IPC. The petitioner is stated to have taken the respondent No. 2 in his car from one place to another forcibly. He, in that act of misdemeanour, was helped by another co-accused who has been discharged on account of paucity of evidence against him.

The petitioner submits that the respondent No. 2 was known to him from before and for some reason or the other, respondent No.2 fell out with him and the present case was lodged by respondent No. 2 at the instance of others.

Be that as it may, the petitioner and the respondent No. 2 have decided to put a quietus to the aforesaid dispute.

Though the memorandum of understanding have been drafted unhappily, but, on interaction with respondent No. 2, this court feels that the respondent No. 2 is not now, desirous of continuing with this case. The respondent No. 2 has also disclosed to the court that she is shortly to enter into a new life after marriage and continuance of this case would not be good for her new life.

In any view of the matter, the allegation of the First information Report shows that the respondent No. 2 was known to the petitioner from before.

Considering the aforesaid set of facts as also the settlement between the petitioner and respondent, this court is inclined to accept such settlement between the parties.

In this case, charges against the petitioner has also been framed. Though the offences alleged in the First Information Report are non-compoundable but keeping in mind the future of respondent No. 2 as also of the petitioner, this court is inclined to quash the First Information Report.

The First Information Report No.440/2013 and all the emanating proceedings therefrom are quashed.

The petition is allowed.

ASHUTOSH KUMAR, J

APRIL 17, 2017
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