

\$~52

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

+ **CRL.M.C. 1870/2017**

NARINDER

..... Petitioner

Through: Mr. Vinay Jaidka and Mr. Mahesh Kumar,
Advocates with petitioner No. 1 in person.

versus

STATE & ANR.

..... Respondent

Through: Ms. Anita Abraham, APP for the State.
Mr. J. N. Patel and Ms. Tripta Kanojia,
Advocates with respondent No. 2 in person.

CORAM:

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

%

01.09.2017

The instant petition has been filed by the petitioners seeking quashing of FIR No.327/2013 under Sections 376(A)/420 IPC registered at Police Station-Mehrauli, New Delhi, on the complaint of respondent No.2 and the proceedings pursuant thereto.

Respondent No.2 is present in Court today and is identified by the Investigating Officer. She states that she has settled the matter with the petitioners with her own free will and choice without any threat, pressure and coercion as per terms and conditions of the Settlement Agreement dated 26.08.2015 recorded before the Principal Judge, South Family Court, Saket Court Complex, New Delhi.

She further submits that today she has received a Demand Draft No. Demand Draft No. 420572 dated 31.08.2017 for Rs.1,60,000/- in favour of

‘Poonam’ drawn on Dena Bank, Chattarpur, New Delhi against her all claim and the said amount includes my other claim of Rs.80,000/- arising out of another FIR No. 45/2013 under Sections 498-A/406/34 IPC registered at Police Station – CWC Mehrauli. She submits that she does not wish to pursue the abovementioned FIR and the proceedings pursuant thereto.

Statements of the parties have been recorded separately.

The FIR in the present case has been registered under Sections 376(A)/420 IPC. The parties have amicably resolved their differences voluntarily and of their own free will and without any coercion, pressure, and no useful purpose will be served in continuance of the proceedings, rather the same would create further acrimony between them.

However, FIR No.327/2013 under Sections 376(A)/420 IPC registered at Police Station-Mehrauli, New Delhi is being quashed in view of the peculiar facts and circumstances of the case and shall not be treated as precedent for quashment of other cases under Section 376 (A) IPC.

Consequently, FIR No.327/2013 under Sections 376(A)/420 IPC registered at Police Station-Mehrauli, New Delhi, and proceedings pursuant thereto are hereby quashed.

The petition is disposed of.

SANGITA DHINGRA SEHGAL, J

SEPTEMBER 01, 2017

gr