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

+ **W.P.(CRL) 3523/2016**

BHUVAN GARG & ANR

..... Petitioner

Represented by: Mr. Sidharth Aggarwal, Mr.
Aditya Singla, Ms. Mehak
Jaggi, Ms. Rupali Samuel,
Adv.

versus

STATE & ANR

..... Respondent

Represented by: Ms. Kamna Vohra, ASC with
SI Dilip Kumar PS Model
Town.
R-2&3 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

28.02.2017

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By the present petition the petitioners seek quashing of FIR No. 137/2016 under Sections 341/452/354/356/509/506/323/34 IPC registered at PS Model Town, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR the two petitioners are the only accused and respondent No.2 the complainant and respondent No.3 the victim.

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Respondent No. 2 and 3 are present in Court and are identified by the Investigating Officer. They state the petitioners and respondent No.2 and 3 are neighbours living on different floors of the same house i.e H.No.B-3/10, Model Town-I, Delhi. Since altercations took place between the parties, the above-noted FIR was got registered and even the petitioners lodged FIR No.140/2016 wherein a cancellation report has been filed before the learned Metropolitan Magistrate by the investigating officer. A protest petition filed thereto has been dismissed. Respondent No.2 and 3 state that in view of the composite settlement and in view of the letter withdrawing all the complaints made to the various authorities against the daughter of respondent No.2 and 3 and because parties have entered into a long-term comprehensive settlement, they do not wish to pursue the above-noted FIR and the proceedings pursuant thereto. Respondent No.2 and 3 further state that they will abide by the terms of settlement arrived at between the parties before the Delhi Mediation Centre, Rohini District Courts on 1st/ 3rd October, 2016 copy whereof is annexed as Annexure P-2 at pages 28 to 31 of the paper book.

Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2 and state that they will abide by the terms of settlement arrived at between the parties before the Delhi Mediation Centre, Rohini District Courts vide Annexure P-2 to the present petition. They further state that they will not pursue any earlier complaint or make any further complaint in respect of the settlement arrived at between the parties in future.

Since the parties have settled the matter of their own free will, volition and without any coercion, no useful purpose will be served in continuing with the above-noted FIR and the proceedings pursuant thereto as the same would be an abuse of the process of the Court. There is no legal impediment in quashing the above-noted FIR in question.

Consequently, FIR No. 137/2016 under Sections 341/452/354/356/509/506/323/34 IPC registered at PS Model Town, Delhi and proceedings pursuant thereto are hereby quashed.

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.

FEBRUARY 28, 2017
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