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

+ **CRL.M.C. 4526/2016**

L C SHARMA

..... Petitioner

Represented by: Ms. Sima Gulati and Ms.
Yashasvika Sharma, Advocates
with petitioner in person.

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Represented by: Mr. Ravi Nayak, APP for the
State with Inspector Afsar
Raza, EOW.
Respondent No.2 in person.

+ **CRL.M.C. 373/2017**

B. LAXMIPATHY

..... Petitioner

Represented by: Mr. Rohit Shankar, Advocate
with petitioner in person.

versus

STATE & ANR.

..... Respondents

Represented by: Mr. Ashok K. Garg, APP for
the State with Inspector Afsar
Raza, EOW.
Respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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27.02.2017

Crl. M.A. No. 3251/2017 (Exemption) in CRL.M.C. 373/2017

Allowed, subject to all just exceptions.

CRL.M.C. 4526/2016 & 373/2017

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Crl. M.A. No. 3250/2017 (restoration) in CRL.M.C. 373/2017

Issue notice.

Learned APP accepts notice on behalf of the State.

Notice is accepted by respondent No.2 who is present in Court.

For the reasons stated in the application Crl. M.C. No. 4526/2016 is restored to its original position.

Application is disposed of.

CRL.M.C. 4526/2016

CRL.M.C. 373/2017

By the present petitions the petitioners seek quashing of FIR No. 872/2000 under Sections 404/419/420/421/467/468/120B registered at PS Hauz Khas, 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 the Investigating Officer submits that in the above noted FIR initially seven accused were arrayed and charge sheeted, out of whom the trial qua five has concluded as they preferred to avail the benefit of plea bargaining. Thus the trial is continuing against the two petitioners above named and the respondent No. 2 is the only complainant/victim.

The complainant/Respondent No. 2 Mr. Kamaljeet Singh, who is present in Court and is identified by the Investigating Officer states that he has settled the matter with the petitioners vide memorandum of understanding dated 25th November, 2016 copy whereof is at pages 29 to 30 of the paper-book. He states that he does not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

Petitioners who are present in Court and are identified by learned counsels affirm the statement of respondent No.2 and state that they will abide by the terms of the memorandum of understanding dated 25th November, 2016.

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 it would be an abuse of the process of the Court, thus 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. 872/2000 under Sections 404/419/420/421/467/468/120B registered at PS Hauz Khas, 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 27, 2017

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