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

+ CRL.M.C. 4131/2017

BALBIR SINGH & ORS. Petitioners

Through: Mr. A. Mishra and Mr. Ravi Pal, Advocate with
petitioners in person.

versus

STATE OF NCT, DELHI & ANR. Respondents

Through: Mr. Ashok Kumar Garg, APP for the State with
SI Rajesh, PS-Khayala.
Mr. Sunil Kumar, Advocate with respondent
No. 2 in person.

CORAM:

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

% **11.10.2017**

Crl. M. A. No. 16572/2017 (Exemption)

Exemption allowed, subject to just exceptions.

Application stands disposed of.

Crl. M. A. No. /2017 (To be numbered)

This is an application under Section 482 Cr.PC moved on behalf of the petitioner No. 5 seeking exemption from personal appearance on medical grounds.

Heard.

For the reasons stated in the application, the application is allowed. Petitioner No. 5 is exempted from personal appearance.

Crl. M. C. No. 4131/2017

The instant petition has been filed by the petitioners seeking quashing of FIR No. 541/2013 under Sections 498-A/406/34 IPC registered at Police Station-Khayala, New Delhi, on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have resolved their disputes in terms of the settlement arrived at between them on 26.10.2016 before the Mediation Centre, Tis Hazari Courts, Delhi.

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 petitioner with her own free will and choice without any threat, pressure and coercion. She further submits that she has settled her dispute with petitioners in terms of the settlement dated 26.10.2016 before the Delhi Mediation Centre, Tis Hazari Courts, Delhi and she does not wish to pursue the abovementioned FIR and the proceedings pursuant thereto.

She further submits that as per settlement, she has already received Rs.3,00,000/- from the petitioners and today she has received Rs.1,00,000/- from the petitioners through DD No. 660567 dated 08.09.2017 drawn on State Bank of India, against her all claims.

Learned APP for State has pointed out that there are two more accused persons namely Amarkaur and Sukhbir Singh have not been made party to the present case. Learned counsel for the petitioners submits that both the accused persons have expired. Let him file an affidavit.

At this stage, an affidavit has been filed by the counsel for the petitioner along with death certificate. Same is taken on record.

Statements of the parties have been recorded separately.

In view of the fact that the parties have amicably resolved their differences voluntarily out of their own free will and without any coercion, pressure, and no useful purpose will be served in continuance of the proceedings. 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. 376/2015 under Sections 354(C)/354(D)/323/506/509/34 IPC, and proceedings pursuant thereto are hereby quashed.

The petition is disposed of.

SANGITA DHINGRA SEHGAL, J

OCTOBER 11, 2017/gr