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

DECIDED ON : 13th FEBRUARY, 2017

+ **CRL.M.C. 4308/2015**

DINESH BHARGAV

..... Petitioner

Through : Mr.Gaurav Dua, Advocate.

versus

THE STATE NCT OF DELHI & ANR

..... Respondents

Through : Ms.Meenakshi Dahiya, APP.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

S.P.GARG, J. (Oral)

1. Present petition under Section 482 Cr.P.C. has been filed by the petitioner for quashing of the FIR No.964/2013 registered under Sections 506/452/354 IPC at PS Mehrauli. It was informed that the matter has been settled with respondent No.2/ complainant amicably.

2. Vide order dated 30.10.2015 learned counsel for the petitioner had assured that the complainant and her husband who was one of the victims would remain present in the Court to report settlement. On 22.02.2016, the complainant could not appear due to physical ailment. Matter was adjourned to 06.05.2016. On that day too, it was informed that the complainant could not appear as she was hospitalized. The matter was posted for hearing on 08.09.2016. Similar request was made on that day.

Last opportunity was given to produce the complainant to report settlement. Today again, the complainant has not put appearance.

3. It appears that despite various adjournments granted the petitioner has failed to ensure the presence of the complainant and her husband the other victim. Apparently, the complainant and the victim are not interested in the settlement.

4. The present petition based on the settlement cannot be allowed in the absence of the complainant or her husband. The petition is dismissed.

(S.P.GARG)
JUDGE

FEBRUARY 13, 2017 / tr