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

+ **W.P.(CRL) 3184/2017**

SANDEEP KAPOOR

..... Petitioner

Through: Mr.Vipin Nandwani, Advocate
Petitioner in person.

versus

THE STATE GOVT OF NCT OF DELHI & ANR Respondents

Through: Mr.Sanjay Lao, ASC for the State
with Mr.Siddharth Sindhu, Advocate
Complainant in person.

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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17.11.2017

CRL.M.A.18843/2017

1. Exemption allowed, subject to all just exceptions.
2. The application is disposed of.

W.P.(CRL.) 3184/2017

1. By way of this petition filed under Article 226 of the Constitution of India, read with Section 482 Cr.P.C. the petitioner is praying for quashing of FIR No.127/2017, under Section 354-A/142/506 IPC, registered at PS Rajender Nagar, Delhi as well as consequential proceedings emanating therefrom.
2. Notice. Learned APP as above accepts notice on behalf of the State.

3. Case FIR No.127/2017 under Sections 354-A/342/506 IPC was registered at PS Rajinder Nagar on the basis of complaint made by respondent No.2/complainant to the effect that on 14th August, 2017 her brother-in-law Sandeep Kapoor came to her room and held her from back and tried to do wrong thing and threatened to throw her and her husband out of the house if she refuses to do what he says. She saved herself and reported the matter to her mother-in-law who in turn asked her not to disclose otherwise it would not be good for her husband. She started calling 100 number but her mother-in-law twisted her hand, snatched her phone and locked her in the room. When her husband came at 4 O'Clock she reported the matter to him. He tried to talk with his mother and brother but he was threatened to be implicated in some false case by them.

4. Learned counsel for the petitioner submits that mainly it is a family dispute between the parties related to the property bearing No.52/18, Old Rajender Nagar, New Delhi-110060 for which suit for mandatory/declaratory injunction has been filed by the parties against each other. However, during the pendency of proceedings in the present FIR and the suits, with the intervention of the relatives, parties have compromised all their disputes before Mediation Centre, Tis Hazari, Delhi. Copy of the Mediation Settlement is annexed along with the petition as Annexure P-4.

5. Learned counsel for the petitioner submits that in view of the amicable settlement arrived at between the parties, parties have settled all their disputes and they undertake to live in harmony and peace, no purpose would be served in prosecuting the petitioner, therefore the FIR in question and criminal proceedings emanating therefrom may be quashed.

6. Respondent No.2 is present in person and submits that she has settled the matter with the petitioner. She further submits that she has no objection if the FIR in question is quashed.

7. In view of the legal position laid down in the decision reported as *Gian Singh v State of Punjab & Anr.* 2012 (9) SCALE 257 and the amicable settlement arrived at between the parties, I am of the considered view that no useful purpose would be served by continuing the criminal proceedings against the petitioner, which will only be an exercise in futile and wastage of precious time of the Court.

8. Accordingly, the petition is allowed and FIR No.127/2017 under Sections 354-A/342/506 IPC registered at PS Rajinder Nagar and consequential proceedings arising therefrom are hereby quashed. The Parties shall be bound by the terms and conditions of settlement.

Order *dasti*.

PRATIBHA RANI, J

NOVEMBER 17, 2017

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