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

+ CRL.M.C. 519/2016

DHARMPAL ARYA

..... Petitioner

Through : Mr. Ravi Chawla, Adv.

versus

THE STATE (GOVT OF NCT OF DELHI) & ORS.... Respondents

Through :Ms. Meenakshi Chauhan, APP with
SI Manoj Kumar, P.S. IP Estate for
the State

Respondent no. 2 in person.

Mr. Vimal Wadhawan, Adv. for
respondent no. 3

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **31.08.2017**

It is submitted that respondent no. 2 (complainant) filed a complaint under Section 200 Cr.P.C. before the Metropolitan Magistrate, Delhi, wherein petitioner and respondent no. 3 were summoned under Sections 452/395/397/323/148 IPC vide order dated 21st August, 2008. Subsequently, case was committed to the Sessions Judge since offences under Sections 395/397 IPC are exclusively triable by the Sessions Court. It is submitted that petitioner, respondent no. 2 (complainant) and respondent no. 3 have settled their disputes amicably; therefore, sessions case may be

quashed. Respondent no. 2 is present in Court and submits that he has settled the matter with the petitioner and respondent no. 3 of his own free will and without any undue force, pressure or coercion and has no objection in case complaint case pending before the learned Additional Sessions Judge-03, Central District, Tis Hazari Courts, Delhi is quashed. Affidavit of respondent no. 2, namely, Mahender Singh Shastri is also on record on pages 23 to 25.

In view of the settlement arrived at between the petitioner and respondent nos. 2 and 3, sessions case no. 27911/16 (old case no. 56/13) titled State vs. Vimal Wadhwa & Another, pending before the court of Shri Ashish Aggarwal, Additional Sessions Judge – 03, Central District, Tis Hazari Courts, Delhi, is quashed.

Petition is disposed of in the above terms. Dasti.

A.K. PATHAK, J.

AUGUST 31, 2017

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