

\$~30

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

+ W.P.(CRL) 290/2018

SWATI MAHAJAN & ORS

... Petitioners

Represented by: Mr.Sachin Sharma with
Mr.Ashish Anand, Advocates

versus

STATE & ORS

.... Respondents

Represented by: Ms.Suman Saharan, proxy
counsel for Mr.R.S.Kundu,
ASC for the State with SI
Amrish Giri, Cyber
Cell,/Central
Mr.Amit Wadhwa, Advocate
for respondents No.2 & 3

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

21.05.2018

%

By the present petition the petitioners seek quashing of FIR No.447/2013 under Sections 323/324/341/354/34 IPC registered at PS I.P.Estate, New Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned proxy counsel for the learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR besides the four petitioners, one more accused namely Indu Mahajan is arrayed against whom a charge sheet has also been filed who has not been made a petitioner and besides the respondent No.2 the complainant/

W.P.(CRL) 290/2018

Page 1 of 3

victim and respondent No.3, there is another victim namely Shreshtha Sharma who has not been impleaded as respondent.

On the oral request of learned counsel for the petitioner, Indu Mahajan is impleaded as petitioner No.5 and Shreshtha Sharma is impleaded as respondent No.4. Amended Memo of parties is taken on record.

Respondents No.2, 3 and the newly added respondent No.4 who are present in Court and are identified by the learned counsel and the Investigating Officer, state that the parties have settled the matter holistically vide Memorandum of Settlement dated 1st October, 2016 whereafter the marriage between the petitioner No.1 and respondent No.3 has been dissolved by a decree of divorce by mutual consent.

As the parties have settled the matter, the respondents No.2, 3, 4 do not wish to pursue the above-noted FIR and the proceedings pursuant thereto and undertake to abide by the terms of settlement arrive at between the parties.

Petitioners No.1 to 5 who are present in Court and are identified by the learned counsel, affirm the statement of respondent No.2, 3 and 4 and undertake to abide by the terms of settlement.

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 the same would create further acrimony between them, 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.447/2013 under Sections 323/324/341/354/34 IPC registered at PS I.P.Estate, New Delhi and proceedings pursuant thereto are hereby quashed.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

MAY 21, 2018
'rk'