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

+ **W.P.(CRL) 203/2018**

NASKUL BHATIA

..... Petitioner

Represented by: **Mr. Dinesh Garg, Advocate**
with petitioner in person.

versus

STATE & ANR

..... Respondents

Represented by: **Mr. R.S. Kundu, Additional**
Standing Counsel for State with
W/SI Pooja, PS Vivek Vihar.
Mr. Raj Kamal Arya, Advocate
for respondent No.2 with
respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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19.01.2018

By the present petition the petitioner seeks quashing of FIR No. 406/2017 under Sections 323/341/509/506 IPC registered at PS Vivek Vihar, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR the petitioner is the only accused and the respondent No.2 the only complainant/victim. He further states that on the statement of respondent No.2 being recorded under Section 164 Cr.P.C. Section 354B IPC has also been added during the course of investigation in the above noted FIR.

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Respondent No. 2 is present in Court and is identified by the learned counsel and the Investigating Officer. She states that she has settled the matter with the petitioner vide settlement deed dated 25th November, 2017, copy whereof is annexed as Annexure-P2 to the present petition. As the parties are neighbours she does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

The petitioner who is present in Court and is identified by the learned counsel affirm the statement of respondent No.2 and assures and undertake that he will abide by the terms of settlement arrived at between the parties vide Settlement Deed dated 25th November, 2017. To show remorse and the fact that the State machinery was moved due to the action of the petitioner, undertake to deposit some cost.

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. 406/2017 under Sections 323/341/509/506/354B IPC registered at PS Vivek Vihar, Delhi and proceedings pursuant thereto are hereby quashed subject to the petitioner depositing cost of ₹10,000/- with the Delhi High Court Staff Welfare Fund within four weeks.

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

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

JANUARY 19, 2018
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