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

+ W.P.(CRL) 1757/2018

DEEPAK

..... Petitioner

Represented by: Mr.P.K.Dixit, Advocate

versus

STATE & ORS

..... Respondents

Represented by: Mr.Sanjay Lao, ASC for the State
with Mr.Siddharth Sindhu, Advocate
for the State
Ms.Sarita Dixit, Advocate for R-2 to
R-4

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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18.07.2018

Crl.M.A.No.10872/2018

Allowed subject to just exceptions.

Crl.M.A.No.10873/2018

Since there is no delay in re-filing the petition, the application is disposed of as infructuous.

W.P.(Crl.) No.1757/2018

1. By this petition, the petitioner who is the complainant in case FIR No.188/2015 under Sections 323/34 IPC wherein Section 308 IPC was added later on seeks quashing of the abovenoted FIR and the proceedings pursuant thereto wherein respondent Nos.2 to 4 have been arrayed as

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accused on the ground that the parties have settled the matter.

2. Learned Additional Standing Counsel for the State on instructions submits that in the above noted FIR the petitioner is the only complainant/victim and the respondent Nos.2 to 4 are the accused and respondent No.2 being the father of respondent Nos. 3 and 4. He further states that both the parties are neighbours.

4. Petitioner who is present in Court and is identified by the learned counsel states that he has settled the matter with respondent Nos.2 to 4 as they are neighbours. In terms of the settlement, he does not wish to pursue the abovenoted FIR and the proceedings pursuant thereto and undertake to abide by the terms of settlement.

5. Respondent Nos.2 to 4 who are present in Court and are identified by the learned counsel affirm the statement of the petitioner and undertake to abide by the terms of settlement and assure that no such misbehaviour will take place in future.

6. 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, 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.

7. Consequently, FIR No.188/2015 under Sections 323/34 IPC wherein Section 308 IPC was added later and proceedings pursuant thereto are hereby quashed.

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

9. Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

JULY 18, 2018

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