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

+ **W.P.(CRL) 677/2018**

SANDEEP TOMAR & ORS

..... Petitioner

Represented by: Mr. Natwar Rai, Adv.

versus

STATE (GOVT OF NCT OF DELHI) & ANR

..... Respondent

Represented by: Ms. Kamna Vohra, ASC with
Insp. Sandeep PS Vasant Kunj
North
Mr. Mohan Kumar, Adv. for
R-2&3 with R-2&3 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

05.03.2018

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By the present petition the petitioners seek quashing of FIR No. 541/2017 under Sections 323/354/354B/506/509/34 IPC registered at PS Vasant Kunj, 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 five petitioners are the only accused, respondent No.2 the complainant/ victim and besides the respondent No.2 her husband Birju Rajak is another victim who has not been impleaded as respondent.

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Faced with this situation learned counsel for the petitioner has handed-over an amended memo of parties impleading Birju Rajak as respondent No.3. Amended memo of parties is taken on record.

Respondent No. 2 and 3 are present in Court and are identified by the learned counsel and the Investigating Officer. They state that they have settled the matter with the petitioners vide memorandum of understanding dated 10th January, 2018 copy whereof is annexed at pages 44 to 46 of the paper book. They further state that they do not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2 and 3 and to show remorse petitioners No.1 to 5 agree to deposit 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. 541/2017 under Sections 323/354/354B/506/509/34 IPC registered at PS Vasant Kunj, Delhi and proceedings pursuant thereto are hereby quashed subject to the petitioners depositing ₹15,000/- in all with the Juvenile Justice Fund maintained by the Registrar General of this Court 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.

MARCH 05, 2018
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