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

+ **W.P.(CRL) 729/2018**

NADEEM @ MAMA& ANR

..... Petitioners

Represented by: **Mr. Rakesh Bhugra, Advocate**
with petitioners in person.

versus

THE STATE GOVT OF NCT OF DELHI & ORS Respondent

Represented by: **Mr. Rajesh Mahajan, ASC with**
Jyoti Babbar, Advocate with
ASI Bijender Singh, PS Jamia
Nagar.
Mr. M. Tabish Zia, Advocate
along with R-2 and R-3. R-2 &
R-3 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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09.03.2018

CrI.M.A. No. 4486/2018 (Exemption)

Allowed, subject to all just exception.

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By the present petition the petitioners seek quashing of FIR No. 738/2017 under Sections 452/323/506/34 IPC registered at PS Jamia Nagar, Delhi 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 the Investigating Officer submits that the above noted FIR was

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registered on the complaint of respondent No. 2 who is also a victim and besides, the respondent No. 3 is the other victim. He states the allegations of respondent No. 2 and 3, are against the two petitioners and some unknown associates, however, till date neither the petitioners nor the respondent Nos. 2 to 3 have been able to reveal the identity or any details about the other associates. Thus the two petitioners are the only accused and respondent Nos. 2 & 3 are the only complainant/ victim.

Respondent No. 2 & 3 who are present in Court and are identified by the learned counsel and the Investigating Officer state that they have settled the matter with the petitioners vide the compromise deed dated 5th March, 2018, copy where of is annexed as Annexure P-2 of the paper book. In terms of the settlement they do not want to pursue the abovementioned FIR and the proceedings pursuant thereto. They also state that they will abide by the terms of settlement.

Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent Nos. 2 & 3 and undertake to abide by the term of compromise deed dated 5th March, 2018. They also assure that no such misbehaviour will take place in future.

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.

Consequently FIR No. 738/2017 under Sections 452/323/506/34 IPC registered at PS Jamia Nagar, Delhi and proceedings pursuant thereto are hereby quashed against all the accused.

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 09, 2018
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