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

+ W.P.(CRL) 958/2018

SADDAM HUSSAIN & ORS

..... Petitioners

Represented by: Mr. Narendra Sharma,
Advocate with petitioners in
person.

versus

STATE & ANR

..... Respondents

Represented by: Mr. Ashish Aggarwal,
Additional Standing Counsel
for State with ASI Jeet Singh,
PS Fatehpur Beri.
Respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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10.09.2018

Crl. M.A. No. 31697/2018 (amendment of petition)

By this application, petitioners seek leave to amend the petition and implead petitioner No.6 Shaira, who is also one of the accused in the FIR.

Application is disposed of permitting the amendment of the petition.

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Amended petition and amended memo of parties are taken on record.

By the present petition, petitioners seek quashing of FIR No. 119/2017 under Sections 323/328/498/506/34 IPC registered at PS Fatehpur Beri, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

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Learned Additional Standing Counsel for the State on instructions submits that in the above noted FIR the six petitioners now impleaded by the amended memo of parties are the only accused and the respondent No.2 is the only complainant/ victim.

Respondent No. 2 who is present in Court and is identified by the Investigating Officer states that she has settled the matter with the Petitioners, vide settlement deed, copy of whereof is annexed at pages 25-26 to the amended memo of petition and since November, 2017 she is residing with the petitioners in the matrimonial home and has no cause of grievance. In terms of the settlement she does not want to pursue the abovementioned FIR and the proceedings pursuant thereto and 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 No.2 and undertake to abide by the terms of settlement arrived at between the parties. They also assure that they will ensure that the respondent No.2 leads a happy married life and no cause of grievance is given to her and 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, 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. 119/2017 under Sections 323/328/ 498/506/34 IPC registered at PS Fatehpur Beri, 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.

SEPTEMBER 10, 2018
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