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

+ **W.P.(CRL) 1584/2018**

ARVIND SHARMA & ORS

... Petitioners

Represented by: **Mr.Amit Wadhwa, Advocate**

versus

STATE & ORS

.... Respondents

Represented by: **Ms.Sanjay Lao, ASC for the
State with SI Amrish Giri,
Cyber Cell,/Central
Mr.Sachin Sharma with
Mr.Ashish Anand, Advocates
for respondents No.2 to 4**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
21.05.2018

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Crl.M.A.No.9765/2018 (Exemption)

Allowed, subject to all just exceptions.

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By the present petition the petitioners seek quashing of FIR No.448/2013 under Sections 323/341/354/34 IPC registered at PS I.P.Estate, New 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 four

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petitioners are the only accused and respondent No.2 the complainant/victim and respondents No.3 and 4 the other victims. Learned Additional Standing Counsel further submits that though the name of Jyoti Bakshi appeared in the statement under Section 164 Cr.P.C., however, during investigation no material was found to file a charge sheet against her and thus, she has not been arrayed as an accused.

Respondents No.2, 3 and 4 are present in Court and are identified by the learned counsel and the Investigating Officer. They state that they have entered into a settlement with the petitioners vide Memorandum of Settlement dated 1st October, 2016 pursuant whereunto divorce by mutual consent has been granted between petitioner No.1 and respondent No.2. In terms of the settlement, they do not wish to pursue the above-noted FIR and the proceedings pursuant thereto and undertake to abide by the terms of settlement arrive at between the parties.

Petitioners, who are present in Court and are identified by the learned counsel, affirm the statement of respondents No.2, 3 and 4 and undertake to abide by the terms of settlement.

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.448/2013 under Sections 323/ 341/ 354/34 IPC
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registered at PS I.P.Estate, New 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.

MAY 21, 2018
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