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

+ **W.P.(CRL) 1051/2017**

ASHOK KUMAR SURI & ORS.

..... Petitioners

Represented by: **Mr. Avinash Trivedi, Advocate**
with petitioners in person.

versus

STATE & ANR.

..... Respondents

Represented by: **Mr. Rajesh Mahajan,**
Additional Standing Counsel
for State with SI Naresh
Kumar, PS Shahbad Dairy.
Respondent Nos. 2 and 3 in
person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

08.05.2018

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By the present petition, the petitioners and respondent No.3 seek quashing of FIR No.1230/2015 under Sections 406/448/380/120B IPC registered at PS Shahbad Dairy, 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 petitioners and respondent No.3 are the only accused whereas respondent No. 2 is the only complainant/victim.

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Respondent No.2 is present in Court and is identified by the Investigating Officer. She states that she has settled the matter with the petitioners vide Memorandum of Understanding dated 15th January, 2016, copy whereof is annexed as Annexure-P2 to the present petition. She has now received the peaceful and vacant possession of the first floor of the property bearing Flat No.6, Pocket-1, Sector-25, Rohini, Delhi and she has now no claims whatsoever remaining either against the petitioner or respondent No.3. In terms of the settlement she does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

The petitioners who is present in Court and are identified by the learned counsel and respondent No.3, who is identified by the Investigating Officer, affirm the statement of respondent No.2 and undertake to abide by the terms of the settlement arrived at between the parties vide Memorandum of Understanding dated 15th January, 2016.

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.1230/2015 under Sections 406/448/380/120B IPC registered at PS Shahbad Dairy, Delhi and proceedings pursuant thereto are hereby quashed qua all the petitioners and respondent No.3.

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 08, 2018/‘vn’