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

+ **W.P.(CRL) 2216/2018**

SH. TRILOK CHAND & ORS.

... Petitioners

Represented by: Mr.Pradeep Teotia with
Mr.Akash Verma, Advocates

versus

THE STATE (GOVT. OF NCT OF DELHI) & ORS... Respondents

Represented by: Ms.Richa Kapoor, ASC for the
State with Ms.Amita Sachdeva
and Mr.Ashish Negi,
Advocates
Mr.Siddharth Chaturvedi,
Advocate for respondents 2 to 5
SI Arun Kumar, PS Bhajanpura

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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26.07.2018

Crl.M.A.28534/2018 (Exemption)

Allowed, subject to all just exceptions.

W.P.(CRL) 2216/2018

By the present petition, the petitioners seek quashing of FIR No.211/2015 under Sections 323/392/34 IPC registered at PS Bhajanpura 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 submits that in the above noted FIR the five petitioners are the accused, respondent No.2 the complainant/ victim and respondents No.3 to 5 the
W.P.(CRL) 2216/2018

other victims. She further states that the above noted FIR is an outcome of a matrimonial dispute between Vikas Gaur, the petitioner No.4 herein and his wife Ms.Charu. Pending matrimonial dispute, Jai Bhagwan Sharma, Naresh Kumar, Ashok Kumar and Santoki Ram, respondents No.2 to 5 had gone to mediate the disputes when the incident took place in which cross FIRs were registered by both the parties. She states that the matrimonial dispute between Vikas Gaur and Charu has since been settled and divorce by mutual consent has been granted. She further states that Section 392 IPC was invoked when the scuffle took place between the two parties and mobile phone and a gold chain one of the complainant party was lost.

Respondents No.2 to 5, who are present in Court and are identified by the learned counsel and Investigating Officer state that they have settled the matter with the petitioners vide Compromise Deed dated 16th July, 2018 copy whereof is annexed as Annexure-P2 to the present petition and in terms of the settlement they do not wish to pursue the abovementioned FIR and the proceedings pursuant thereto. They further state that they will abide by the terms of the compromise arrived at between the parties.

Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondents No.2 to 5 and undertake to abide by the terms of compromise arrived at between the parties on 16th July, 2018.

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. Though Section 392 IPC was invoked, but there being no recovery of mobile phone and the gold chain, which were stated to be lost, there is no legal impediment in quashing the FIR in question.

Consequently, FIR No.211/2015 under Sections 323/392/34 IPC registered at PS Bhajanpura and the proceedings pursuant thereto are hereby quashed.

Petition is disposed of. Order Dasti.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

MUKTA GUPTA, J.

JULY 26, 2018

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