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

+ **CRL.M.C. 4530/2018**

CHANDER PRAKASH @ CHANDU

..... Petitioner

Through: Mr.S.S. Bhati, Adv. with petitioner in person.

versus

THE STATE (NCT OF DELHI) & ANR.

..... Respondents

Through: Mr.Amit Chadha, APP with SI Raj Kumar, PS K.M. Pur.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **29.10.2018**

1. Vide the present petition, the petitioner prays for quashing of FIR No.311/2011 under Sections 323/354 IPC registered at PS K.M. Pur, on the basis of the settlement dated 14.09.2016 arrived at between the parties before the Mediation Centre, Saket Courts, New Delhi.

2. Learned counsel for the petitioner submits that the petitioner and the respondent no.2 were neighbours in Kidwai Nagar and were living in adjacent jhuggis. He submits that at the spur of moment, the petitioner used unparliamentary language with respondent no.2, leading to the registration of the aforesaid FIR. He submits that the parties have now, with the intervention of the Mediation Centre,

entered into a settlement on 14.09.2016 and therefore prays that the FIR and the proceedings emanating therefrom be quashed.

3. The petitioner as also the respondent no.2 are present in Court. I have interacted with the respondent no.2 who submits that she has now left the neighbourhood of the petitioner and is living in a different place with her husband. She submits that she has entered into the aforesaid settlement out of her own free will and without any coercion. She also prays that the aforesaid FIR and all proceedings emanating therefrom be quashed.

4. Having considered the submissions of learned counsel for the parties and the nature of allegation, I am of the opinion that in view of the settlement arrived at between the parties and the fact that respondent no.2, who is since married does not want to pursue the same, no useful purpose will be served in continuing the criminal proceedings. Interest of justice, therefore, demands that the FIR and the proceedings emanating therefrom are quashed.

5. Accordingly, the petition is allowed and FIR No.311/2011 under Sections 323/354 IPC registered at PS K.M. Pur and proceedings emanating therefrom are quashed, subject to the petitioner depositing a sum of Rs.5,000/- with the Delhi High Court Advocates Welfare Trust, within two days from today. A copy of receipt of deposit of costs will be handed over to the Investigating Officer for production before the learned Trial Court.

6. The petition is disposed of.

REKHA PALLI, J

OCTOBER 29, 2018/gm