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

+ W.P.(CRL) 2648/2018

SUNNY BHATIA AND ANR

..... Petitioners

Represented by: Mr.Ajay Khanna and Mr.Nitin
Desodia, Advocates

versus

STATE OF NCT DELHI AND ANR.

..... Respondents

Represented by: Mr.R.S.Kundu, ASC for the State
with Ms.Suman Saharan, Advocate
with SI Sandeep, PS Mangol Puri

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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06.09.2018

Crl.M.A.No.31454/2018

Allowed subject to just exceptions.

W.P.(Crl.) No.2648/2018

1. By this petition, the petitioners seek quashing of FIR No.782/2017 under Section 420/34 IPC registered at PS Mangol Puri on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

2. Learned Additional Standing Counsel for the State on instructions submits that in the above noted FIR though the three accused were named in the FIR, however the two petitioners are the accused as investigation is complete and charge sheet is likely to be filed against the two petitioners

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only. He further states that respondent No.2 is the only complainant/victim.

3. 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 dated 23rd November, 2017, copy whereof is annexed as Annexure P-2 to the present petition. In terms of the settlement, respondent No.2 has already received a sum of ₹4 lakhs and she has now no claim whatsoever remaining against the petitioners and does not wish to pursue the abovenoted FIR and the proceedings pursuant thereto. She also undertakes to abide by the terms of settlement arrived at between the parties.

4. 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. To show remorse, they also undertake to deposit cost.

5. 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.

6. Consequently, FIR No.782/2017 under Section 420/34 IPC registered at PS Mangol Puri and proceedings pursuant thereto are hereby quashed subject to each petitioner depositing ₹5,000/- with the Chief Minister's Distress Relief Fund, Kerala within two weeks and receipt thereof will be placed on record.

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

8. Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

SEPTEMBER 06, 2018

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