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

+ **W.P.(CRL) 2799/2018**

NIKHIL KOHLI & ANR.

... Petitioners

Represented by: **Mr.Gagan Chawla, Advocate**

versus

THE STATE & ANR.

... Respondents

Represented by: **Mr.Sanjay Lao, ASC for the
State with SI Sanjay Kaushik,
PS Sarai Rohilla
Mr.Amit Kumar, Advocate for
respondents No.2 and 3**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

17.09.2018

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Crl.M.A.32272/2018

Exemption allowed, subject to just exceptions.

W.P.(CRL) 2799/2018

1. By the present petition the petitioners seek quashing of FIR No.125/2018 under Sections 323/354A/354B/34 IPC registered at PS Sarai Rohilla 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

from Investigating Officer submits that in the above-noted FIR two petitioners are the only accused, respondent No.2 the complainant/victim and respondent No.3 the other victim.

3. Respondents No.2 and 3, who are present in Court and are identified by learned counsel and the Investigating Officer, state that they have settled the matter with the petitioners and in terms of the settlement arrived at between the parties on 26th March, 2018, they do not wish to pursue the above-noted FIR and the proceedings pursuant thereto. They undertake to abide by the terms of the settlement.

5. Petitioners who are present in Court and are identified by the Investigating Officer affirm the statements of respondents No.2 and 3 and undertake to abide by the settlement arrived at between the parties on 26th March, 2018. They also undertake not to indulge in such activities in future and to show remorse, undertake to deposit cost.

6. In view of the fact that the parties have amicably resolved their differences of their own free will, volition and without any coercion, 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.

7. Consequently, FIR No.125/2018 under Sections 323/354A/354B/34 IPC registered at PS Sarai Rohilla and proceedings pursuant thereto are hereby quashed subject to the petitioners depositing a sum of ₹5,000/- each with the Juvenile Justice fund maintained by Registrar General of this Court

within four weeks.

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

9. Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

SEPTEMBER 17, 2018
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