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

+ **W.P.(CRL) 2785/2018**

SAROJ & ORS.

... Petitioners

Represented by: **Mr.Amit Kumar, Advocate**

versus

THE STATE & ANR.

... Respondents

Represented by: **Ms.Kamna Vohra, ASC for the
State with SI Sanjay Kaushik,
PS Sarai Rohilla
Mr.Gagan Chawla for
respondents No.2 to 4**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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17.09.2018

Crl.M.A.32212/2018

Exemption allowed, subject to just exceptions.

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1. By the present petition the petitioners seek quashing of FIR No.124/2018 under Sections 323/354A/354B/509/34 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 three petitioners are the only accused, respondent No.2 the complainant and

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respondent No.3 the other victim. She further states that besides the respondent and 3, there is one more victim namely Prateek Gandotra, son of respondent No.2, who has not been impleaded as a party.

3. Faced with this situation, learned counsel for the petitioner has handed over Amended Memo of Parties impleading Prateek Gandotra as respondent No.4. Amended Memo of Parties is taken on record.

4. Respondents No.2, 3 and 4, who are present in Court and are identified by learned counsel and the Investigating Officer, state that the parties are residing in the neighbourhood and they have settled the matter with the petitioners. 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 learned counsel affirm the statements of respondents No.2, 3 and 4 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 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. There is no legal impediment in quashing the FIR in question.

7. Consequently, FIR No.124/2018 under Sections 323/354A/354B/509/34 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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