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

+ **W.P.(CRL) 2827/2018**

SIMI WALIA & ANR

..... Petitioners

Represented by: Mr.Gajender Kumar Singhal,
Advocate with Mr. Rajat Kohli,
Advocate.

versus

STATE & ANR

..... Respondents

Represented by: Mr.Jamal Akhtar, Advocate for
Mr.Rahul Mehra, ASC for the State
with SI Ram Naresh, PS Amar
Colony
Mr.Manohar Lal, Advocate for R-2

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

19.09.2018

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CrI.M.A.No.32455/2018

Allowed subject to just exceptions.

W.P.(CrI.) No.2827/2018

1. By this petition, the petitioners seek quashing of FIR No.75/2018 under Sections 420/34 IPC registered at PS Amar Colony on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.
2. Learned proxy counsel for learned Standing Counsel for the State on instructions submits that in the above noted FIR the two petitioners are the only accused and the respondent No.2 is the only complainant/victim.

3. Respondent No.2 who is present in Court and is identified by her counsel who is her husband as well and the Investigating Officer states that she has settled the matter with the petitioners before the Mediation Centre, Saket Courts on 18th July, 2018, copy whereof is annexed as Annexure B to the present petition. In terms of the settlement, sale deed in respect of the property bearing No.367, Ground Floor, Sant Nagar, East of Kailash, New Delhi has already been executed in her favour by petitioner No.1 and she has been handed over with vacant physical possession of the said property. She states that she has no claim whatsoever remaining against the petitioners and she has no objection to the de-sealing of the bank accounts of the petitioners as mentioned in para 5 of the settlement. She undertakes to abide by the terms of settlement arrived at between the parties and she does not wish to pursue the abovenoted FIR and the proceedings pursuant thereto.

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.

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.75/2018 under Sections 420/34 IPC registered at PS Amar Colony and proceedings pursuant thereto are hereby quashed.

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 19, 2018

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