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

+ **CRL.M.C. 4886/2018**

ABHISHEK SHARMA & ANR.

..... Petitioners

Through: Mr.Punit Bhalla, Mr.Deepak Chawla
& Mr.R. Madhav Bera, Advs. with
petitioners in person.

versus

STATE OF NCT DELHI & ANR.

..... Respondents

Through: Mr.Raghuvinder Verma, APP for the
State with SI Lungphubou, PS
Safdarjung Enclave
Mr.Kashish Narang & Mr.Tabrez,
Advs. with R-2 in person.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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03.12.2018

1. Vide the present petition filed u/s 482 Cr.P.C., the petitioners seek quashing of FIR No.186/2018 registered u/s 354/354B IPC at Police Station Safdarjung Enclave, Delhi on the basis of a Settlement Agreement dated 27.08.2018.

2. Learned counsel for the petitioners submits that the petitioners as also the respondent no.2 are employees of Kaya Skin Clinic. Due to a misunderstanding between the employees, the respondent no.2 filed a complaint against the petitioners which led to the registration

of the aforesaid FIR.

3. Learned counsel for the petitioners further submits that the parties have now with the intervention of the Management of Kaya Skin Clinic, resolved their disputes amicably and have entered into a Settlement Agreement dated 27.08.2018. As per the settlement, the respondent no.2 has been paid a sum of Rs.54,077/- as salary for her two months' notice period. Furthermore, the respondent no.2 has already left the services of Kaya Skin Clinic. He also states that the petitioners are willing to pay any costs that may be directed by this Court and, therefore, prays that the captioned FIR and proceedings emanating therefrom be quashed.

4. The petitioners as also the respondent no.2 are present in Court and have been identified by the Investigating Officer. Respondent no.2 is also represented by a counsel. I have interacted with the respondent no.2 who states that he has decided to resolve all her differences with the petitioners of her own free will and has entered into the settlement without any coercion. She further submits that since she has left the services of Kaya Skin Clinic and is now an employee of another organisation, she also does not want the aforesaid criminal proceedings to continue as she does not want any further acrimony with the petitioners. She, therefore, prays that the captioned FIR and proceedings emanating therefrom be quashed.

5. I have considered the submissions of the learned counsel for the parties and perused the records. Keeping in view the fact that respondent no.2 has left her services with Kaya Skin Clinic and has joined another organization as also the fact that the dispute between

the parties now stands resolved, no useful purpose will be served in continuing with the criminal proceedings as continuation of the same will only cause further hardship to the parties.

6. For the aforesaid reasons, the petition is allowed and the captioned FIR and proceedings emanating therefrom are quashed, subject to the petitioners paying a sum of Rs.25,000/- each as costs to the 'Home for Leprosy and T.B. Affected Beggars' within two weeks from today. A copy of this order be sent to the Superintendent, Home for Leprosy and T.B. Affected Beggars, Tahir Pur, Delhi-110093 for information. A copy of the receipt of deposit of costs will be handed over to the Investigating Officer for production before the learned Trial Court.

7. The petition is disposed of in the above terms.

REKHA PALLI, J

DECEMBER 03, 2018

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