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

+ **W.P.(CRL) 2100/2017**

YUDHVIR MALIK & ANR

..... Petitioners

Represented by: Mr. Arvind Kumar Gupta and
Mr. Prashant Bhardwaj,
Advocates with petitioners in
person.

versus

STATE & ANR

..... Respondents

Represented by: Ms. Srilina Roy, Advocate for
Ms. Nandita Rao, Additional
Standing Counsel for State with
SI Vivek Malik, PS Vasant
Kunj (S).
Mr. Amit Tiwari, Advocate for
respondent Nos. 2 to 5 with
Respondent Nos. 2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

19.01.2018

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By the present petition the petitioners seek quashing of FIR No. 688/2016 under Sections 420/447 IPC registered at PS Vasant Kunj South, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned proxy counsel for learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR the two petitioners are the only accused and the respondent No.2 the only complainant/victim besides respondent Nos. 3 to 5 who are

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the other victims.

Respondent No. 2 is present in Court and is identified by the learned counsel and the Investigating Officer. Respondent Nos. 3, 4 5 have executed Special Power of Attorneys in favour of respondent No.2 to make a statement on their behalf before the Court. The Special Power of Attorneys executed by respondent Nos. 3, 4 and 5 are at pages 46-52 of the paper book. Respondent No.2 on his behalf and on behalf of respondent Nos. 3 to 5 states that they have settled the dispute with the petitioners vide settlement dated 7th July, 2017, copy whereof has been placed on record as Annexure P-3 to the present petition. In terms of the settlement the respondent Nos. 2 to 5 do not wish to pursue the above-noted FIR and the proceedings pursuant thereto. Respondent No. 2 on his behalf and on behalf of respondent Nos. 3 to 5 undertakes to abide by the terms of the settlement.

The petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2 made on behalf of himself and on behalf of respondent Nos. 3 to 5 and undertake that they will abide by the terms of settlement arrived at between the parties.

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.

Consequently, FIR No. 688/2016 under Sections 420/447 IPC registered at PS Vasant Kunj South, Delhi and proceedings pursuant thereto are hereby quashed.

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

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

JANUARY 19, 2018
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