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

+ **W.P.(CRL) 2949/2018**

MANDEEP SEHRAWAT & ANR.

..... Petitioner

Represented by: Mr. Vivek Luthra, Ms. Rema Luthra
and Mr. Deepak Lohchab, Advocates.

versus

STATE & ANR.

..... Respondent

Represented by: Ms. Nandita Rao, ASC for the State
with ASI D.K. Sharma, PS M.S. Park.
Mr. J.S. Arya, Advocate for R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

28.09.2018

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Crl.M.A. No. 33120/2018 (Exemption)

Allowed, subject to all just exceptions.

Crl.M.A. No. 33121/2018

By this application, the petitioner No. 2 seeks to be represented through the special power of attorney, his daughter, namely, Smt. Meenakshi Sehrawat, who is present in Court.

Application is disposed of permitting petitioner No. 2 to be represented through the special power of attorney, i.e. Smt. Meenakshi Sehrawat.

W.P.(CRL) 2949/2018

By the present petition the petitioners seek quashing of FIR No.

W.P.(CRL) 2949/2018

page 1 of 3

17/2016 under Sections 323/341/509/34 IPC registered at PS Seemapuri, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned Additional 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 and the mother of the respondent No. 2, namely, Smt. Santosh Chauhan, the other victim, who has not been impleaded as a party.

Faced with this situation, learned counsel for the petitioners has handed over amended memo of parties impleading Smt. Santosh Chauhan, as respondent No. 3.

Amended memo of parties is taken on record.

Respondent Nos. 2 and 3 who are present in Court and are identified by the learned counsel and Investigating Officer they states that in view of the holistic settlement arrived at between petitioner No. 1 and respondent No. 2 before Delhi Mediation Centre Patiala House Courts on 20th March, 2018, copy whereof is annexed as Annexure-P2 of the paper book. They do not want to pursue the abovementioned FIR and the proceedings pursuant thereto. They further undertake to abide by the terms of settlement arrived at between the parties.

Petitioner No. 1 is present in Court and is identified by the learned counsel. Petitioner No. 2 is represented through the special power of attorney, his daughter, namely, Meenakshi Sehrawat, who is present in Court. Petitioner No. 1 and special power of attorney holder of petitioner No. 2 affirm the statement of respondent No.2 and undertake to abide by the

W.P.(CRL) 2949/2018 ***page 2 of 3***

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. 17/2016 under Sections 323/341/509/34 IPC registered at PS Seemapuri, 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.

SEPTEMBER 28, 2018
‘yo’