

\$~67

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

+ **W.P.(CRL) 3099/2018**

LALIT KUMAR

..... Petitioner

Represented by: Mr. Karan Bansal, Advocate.

versus

STATE & ANR.

..... Respondent

Represented by: Mr. Ranbir Singh Kundu, ASC
with Ms. Suman Saharan, Mr.
Murli Manohar and Mr.
Ravinder Kumar, Advocates
with SI Sachin Pillania, PS
Hauz Khas.
Mr. Pawan Gupta, Advocate
for R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

%

08.10.2018

CrI.M.A. No. 33810/2018 (Exemption)

Allowed, subject to all just exceptions.

W.P.(CRL) 3099/2018

By the present petition the petitioner seeks quashing of FIR No. 1029/2015 under Sections 509/506/323/354/451IPC registered at PS Hauz Khas, 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 petitioner is the only accused and

W.P.(CRL) 3099/2018

page 1 of 3

the respondent No.2 is the complainant/ victim, however, besides respondent No. 2 her mother is also a victim who has not been impleaded as a party.

Faced with this situation learned counsel for the petitioner has handed over the amended memo of parties impleading mother of respondent No. 2 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 state that they have settled the matter with the petitioner before Mediation Centre, Saket Courts on 10th July, 2017, copy whereof is annexed as Annexure-2 of the paper book. In terms of the settlement 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 who is present in Court and is identified by the learned counsel affirms the statement of respondent Nos. 2 & 3. He tenders his apology and assures that no such misbehaviour will take place in future. He further undertakes to abide by the terms of settlement arrived at between the parties. To show remorse he undertakes to deposit cost.

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. 1029/2015 under Sections 509/506/323/354/451IPC registered at PS Hauz Khas, Delhi and proceedings pursuant thereto are hereby quashed subject to the petitioner depositing a sum of ₹3,000 with the Juvenile Justice Fund maintained by the Registrar General of this Court within four weeks.

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

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

OCTOBER 08, 2018
‘yo’