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

+ W.P.(CRL) 3116/2018

ABHISHEK KUMAR & ORS.

..... Petitioners

Represented by: Ms.Pinki Aggarwal, Mr.Tarun Soni
and Ms.Payal Ahuja, Advocate with
Petitioners in person

versus

STATE & ANR.

..... Respondents

Represented by: Mr.Jamal Akhtar, Advocate for
Mr.Rahul Mehra, Standing Counsel
for the State with ASI Jagdish, PS
Bindapur
Respondent No.2 in person

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

% **10.10.2018**

1. By this petition, the petitioners seek quashing of FIR No.316/2018 under Sections 323/354/506/34 IPC registered at PS Bindapur 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 four 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 the Investigating Officer states that she has settled the matter with the petitioners vide memorandum of understanding dated 1st August, 2018, copy whereof is annexed as Annexure-2 to the petition; petitioner No.4 being her

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husband and petitioner Nos.1, 2 and 3 being her brother-in-law, mother-in-law and sister-in-law. She states that in terms of the settlement petitioner No.4 and respondent No.2 have decided to reside together at a newly purchased flat bearing No.G-63, First Floor, Arya Samaj Road, Uttam Nagar, New Delhi and that in view of the settlement arrived at between the parties, she does not wish to pursue the abovementioned FIR and the proceedings pursuant thereto. She undertakes to abide by the terms of settlement arrived at between the parties.

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.

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, 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.

6. Consequently, FIR No.316/2018 under Sections 323/354/506/34 IPC registered at PS Bindapur 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.

OCTOBER 10, 2018/mamta
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