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

+ **W.P.(CRL) 3189/2018**

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..... Petitioner

Represented by: **Mr. Naresh Kumar Beniwal and Mr. Nikhil Beniwal, Advocates.**

versus

STATE & ANR.

..... Respondent

Represented by: **Mr. Jamal Akhtar, Advocate for Mr. Rahul Mehra, Standing Counsel for the State with SI Ajay Kumar, PS Bawana, Delhi.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

14.11.2018

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By the present petition the petitioner seeks quashing of FIR No. 440/2015 under Sections 308/34 IPC registered at PS Bawana, 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 Standing Counsel for the State on instructions submits that in the above noted FIR the petitioner is the only accused and the respondent No. 2 is the complainant/ victim. He further states that the respondent No. 2 is the real paternal aunt of the petitioner.

Respondent No. 2 is present in Court and is identified by the Investigating Officer. She states that she has settled the matter with the petitioner who is the nephew of her husband vide the compromise deed dated 6th October, 2018, copy whereof is annexed at pages 21 to 23 of the paper book. In terms of the settlement the petitioner has apologised to her and assures that no such misbehaviour will take place in future. In terms of

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the settlement she does not wish to pursue the abovementioned FIR and the proceedings pursuant thereto.

Petitioner who is present in Court and is identified by the learned counsel affirms the statement of respondent No. 2 and 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. 440/2015 under Sections 308/34 IPC registered at PS Bawana, Delhi and proceedings pursuant thereto are hereby quashed subject to the petitioner depositing a cost of ₹20,000/- with the Juvenile Justice Fund maintained by the Registrar General of this Court within two 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.

NOVEMBER 14, 2018
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