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

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Judgment delivered on:16.10.2018

+ CRL.M.C. 5315/2018

AAMIR MALIK @ VICKY

..... Petitioner

versus

STATE & ANR.

..... Respondents

Advocates who appeared in this case:

For the Petitioner : Ms. Komal Sharma with Mr. H.R. Dhamija, Advocates.

For the Respondent : Mr. Hirein Sharma, APP for the State. SI Bhawani, PS Patel Nagar. Mr. Rajbir Singh and Ms. Chhaya, Advocate for respondent No.2 with respondent No.2 in person.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

16.10.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl.M.A.34444/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 5315/2018

1. Petitioner seeks quashing of FIR No.58/2015 under Sections 354A/354D/506 IPC, Police Station Patel Nagar, based on a settlement.

2. The allegations in the FIR are that the petitioner used to follow the prosecutrix and even at some instances misbehaved with her.

3. Learned counsels for the parties submit that parties have settled their disputes and Settlement Agreement dated 09.09.2018 has been executed between the parties. Petitioner has apologised to the respondent No.2 for his conduct and she has accepted the apology.

4. The petitioner, who is present in Court in person, has expressed remorse and undertakes that he shall not repeat his conduct in future. The undertaking is accepted.

5. Respondent No.2 is present in Court in person, represented by counsel and is identified by the Investigating Officer. She submits that she has settled the disputes with the petitioner and does not wish to prosecute the complaint any further and has no objection to the quashing of the subject FIR.

6. In view of the fact that the parties have resolved their disputes and respondent No. 2 does not wish to press her complaint, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the ultimate guiding factor. It would be expedient to quash the subject FIR and the consequent proceedings emanating there from.

7. In view of the above, the petition is allowed. FIR No.58/2015

under Sections 354A/354B/506 IPC, Police Station Patel Nagar and the consequent proceedings emanating there from are quashed, subject to the petitioner depositing a cost of Rs.10,000/- to be paid to the “*Chief Minister’s Distress Relief Fund (CMDRF), Kerala*”, within a period of two weeks from today. Receipt of deposit of the costs imposed by this Order be furnished to the concerned Investigating Officer within a period of three weeks from today.

8. Order *Dasti* under the signatures of the Court Master.

OCTOBER 16, 2018
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SANJEEV SACHDEVA, J

