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

+ **W.P.(CRL) 3237/2018**

SH. NITIN BHARDWAJ & ANR.

..... Petitioner

Represented by: Mr. Sanjeev Kumar, Adv.

versus

STATE & ANR.

..... Respondent

Represented by: Mr. Jamal Akhtar, proxy Adv. for Mr.
Rahul Mehra, Standing Counsel with
SI Vineeta PS Swaroop Nagar.
Mr. Vishal Arun Mishra, Adv. for R-2
with R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

19.11.2018

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CrI.M.A. 34723/2018

Exemption allowed subject to just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 323/2018 under Sections 376/377/34 IPC registered at PS Swaroop Nagar, 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 the learned Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR the two petitioners are the only accused and respondent No.2 the only

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complainant/ victim. The above-noted FIR is an offshoot of a matrimonial dispute between the petitioner No.1 and respondent No.2 and he states that parties have holistically settled the matter and are living together.

Respondent No. 2 is present in Court and is identified by the Investigating Officer. She states that she has settled the matter with the Petitioners vide compromise deed dated 15th October, 2018. She is living together with petitioner No.1 in the matrimonial home along with the minor child and since the FIR in question was lodged due to confusion, she does not want to pursue the abovementioned FIR and the proceedings pursuant thereto. She undertake to abide by the terms of settlement arrived at between the parties.

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 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. 323/2018 under Sections 376/377/34 IPC registered at PS Swaroop Nagar, 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.

NOVEMBER 19, 2018
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