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

+ **W.P.(CRL) 3388/2018**

SH. SANJEEV KUMAR

..... Petitioner

Represented by: **Mr. Vikash Kumar, Advocate.**

versus

STATE & ANR.

..... Respondent

Represented by: **Mr. Rajesh Mahajan, ASC with SI
Sonu Ram, PS Aman Vihar.
Mr. Ragib Gayyor, Advocate for R-2.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

02.11.2018

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CrI.M.A. No. 35661/2018 (Exemption)

Allowed, subject to all just exceptions.

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1. By this petition, the petitioner seeks quashing of FIR No.1055/2016 under Section 377 IPC registered at PS Aman Vihar on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

2. Learned Additional 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 only complainant/victim. Learned ASC for the State further submits that the above noted FIR is an offshoot of matrimonial dispute between petitioner and respondent No. 2.

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3. Respondent No.2 who is present in Court and is identified by the learned counsel and the Investigating Officer states that she has settled the matter with the petitioner vide the compromise deed dated 5th September, 2018 copy whereof is annexed at pages 24 to 26 of the paper book. In terms of settlement respondent No. 2 is now residing with petitioner in the matrimonial relation since 5th July, 2018 and she has also withdrawn/got quashed all other cases got registered by her against the petitioner and his family members. In terms of the settlement she does not wish to pursue the abovementioned FIR and the proceedings pursuant thereto. She also undertakes to abide by the terms of settlement arrived at between the parties.
4. 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.
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.1055/2016 under Section 377 IPC registered at PS Aman Vihar 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.
9. Order dasti.

NOVEMBER 02, 2018
‘yo’

MUKTA GUPTA, J.