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

+ W.P.(CRL) 2609/2017

SMRITI TANDON & ORS

..... Petitioners

Represented by: Mr. Ishwar Singh, Advocate
with petitioners in person.

versus

STATE OF DELHI & ORS

..... Respondents

Represented by: Ms. Jyoti Babbar, Advocate for
Mr. R.S. Kundu, Additional
Standing Counsel for the State
with W/SI Priyanka, PS
Mukherjee Nagar.
Ms. Parul Rohtagi, Advocate
for the respondent Nos. 2 to 5
with respondent Nos. 2 to 4 in
person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

27.02.2018

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By the present petition the petitioners seek quashing of FIR No. 316/2016 under Sections 341/323/354/308/506/34 IPC registered at PS Mukherjee 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 learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR the four petitioners are the only accused and the respondent No. 2 the only complainant/victim and the respondent Nos. 3 to 5 the other

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three victims. He states that no other person is involved in the present FIR.

Respondent Nos. 2 to 4 are present in Court and are identified by the learned counsel and the Investigating Officer. Respondent No. 5 is an 82 years old person residing in Ahmednagar, Maharashtra and not in a position to travel. He has executed a Special Power of Attorney in favour of Shri Gurcharan Bajaj, who is present in Court and is identified by the learned counsel. Copy of the Special Power of Attorney executed by respondent No. 5 in favour of Shri Gurcharan Bajaj is taken on record. Respondent Nos. 2 to 4 and Special Power of Attorney of respondent No. 5 Shri Gurcharan Bajaj state that they have settled the matter with the petitioners vide compromise deed notarised on 4th September, 2017, copy whereof is annexed as Annexure –B to the present petition. In terms of the settlement they do not wish to pursue the above-noted FIR and the proceedings pursuant thereto and they will abide by the terms of the settlement.

Petitioners are present in Court and are identified by the learned counsel. They affirm the statement of respondent Nos.2 to 4 and Special Power of Attorney of respondent No. 5 and undertake to abide by the terms of the compromise deed. To show remorse they undertake to deposit some costs also.

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, 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. 316/2016 under Sections 341/323/354/308/506/34 IPC registered at PS Mukherjee Nagar, Delhi and proceedings pursuant thereto are hereby quashed subject to the petitioners depositing a cost of ₹5,000/- each with the Delhi High Court Staff Welfare Fund within four 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.

FEBRUARY 27, 2018
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