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

+ **W.P.(CRL) 2805/2017**

SMT SHIVANI KAKKAR & ORS

..... Petitioners

Represented by: Mr. Sanjay Dewan and Ms.
Palak Rohmetra, Advocates
with petitioners in person.

versus

STATE NCT OF DELHI & ANR

..... Respondents

Represented by: Ms. Nandita Rao, Additional
Standing Counsel for State with
SI Deepak Tanwar, PS Malviya
Nagar.
Mr. Bismanjit Singh, Advocate
for Mr. Akshay Malik,
Advocate for respondent No.2
with respondent No. 2 in
person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

12.01.2018

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Crl. M.A. No. 16169/2017 (Exemption)

Allowed, subject to all just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 596/2015 under Sections 420/468/471 IPC registered at PS Malviya Nagar, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

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Learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR the six petitioners are the only accused and the respondent No.2 the only complainant/victim.

Respondent No. 2 is present in Court and is identified by the learned counsel and the Investigating Officer. He states that he has settled the matter with the petitioners on 8th August, 2017 before the Mediation Centre, Saket Courts, Delhi, copy whereof is annexed as Annexure-P2 to the present petition. In terms of the settlement the two suits initiated by him have been withdrawn and the parties have holistically settled the matter. He states that in terms of the settlement he does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

The petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2 and assure that no such misbehaviour will take place in future and they will abide by the terms of settlement arrived at between the parties on 8th August, 2017 before the Mediation Centre, Saket Courts, Delhi. Petitioners also state that to show remorse they are willing to deposit some 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. 596/2015 under Sections 420/468/471 IPC registered at PS Malviya Nagar, Delhi and proceedings pursuant thereto are hereby quashed subject to the petitioners depositing a total sum 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.

JANUARY 12, 2018

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