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

+ **W.P.(CRL) 2908/2017**

SUNILA CHHABRA & ORS

..... Petitioner

Represented by: Mr. Kartik Khanna, Advocate.

versus

STATE & ANR

..... Respondent

Represented by: Ms. Kamna Vohra, ASC with
SI Reena, PS Paschim Vihar.
Mr. Gaurav Sharma, R-2 in
person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

08.05.2018

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By the present petition the petitioners seek quashing of FIR No. 46/2015 under Section 420 IPC registered at PS Paschim Vihar, Delhi on the complaint of Respondent No.2, Gaurav Sharma, and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Status report has already been filed. As per the status report charge sheet for offences punishable under Sections 174A/420/467/468/471/120B IPC have been filed against petitioner Nos. 1 and 3.

No charge sheet has been filed against petitioner No. 2 as there was no role assigned to him during the investigation.

Learned Additional Standing Counsel for the State on instructions submits that in the above noted FIR the petitioner Nos. 1 and 3 are the only

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accused and the respondent No.2 is the only complainant/ victim.

Respondent No. 2 who is present in Court and is identified by the Investigating Officer states that he has settled the matter with the petitioners vide the settlement deed dated 16th September, 2017, copy whereof is annexed at pages 28 to 30 of the paper book. In terms of the settlement the total claim of the respondent No. 2 was ₹3,00,000/- out of which he has already received a sum of ₹1,50,000/- and the balance amount of ₹1,50,000/- has been received by him today in Court vide Demand Draft Nos. 000497 and 000498 drawn on Bandhan Bank. He further states that he has no claim whatsoever remaining against the petitioners. In terms of the settlement he does not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

Petitioner No. 3 is present in Court and is identified by the learned counsel. Petitioner No. 1 is unwell and thus she has executed a Special Power of Attorney in favour of petitioner No. 3 which has been handed over by the learned counsel for the petitioner and is taken on record.

Petitioner No. 3 on behalf of himself and on behalf of petitioner No. 1 as the Special Power of Attorney, affirms the statement of respondent No.2 and undertakes 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. 46/2015 under Section 420 IPC registered at PS Paschim Vihar, Delhi and proceedings pursuant thereto are hereby quashed.

Petitioner No. 3 on his behalf and on behalf of petitioner No. 1 and respondent No. 2 have signed this order sheet in acknowledgment of their statements made before this Court.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

MAY 08, 2018
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