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

+ W.P.(CRL) 2882/2017 and CrI.M.A. No. 16743/2017 (stay)

HABIB KHAN

..... Petitioner

Represented by: Mr. Suman Chauhan and Mr.
Jivesh Tiwari, Advocates.

versus

STATE & ANR

..... Respondent

Represented by: Ms. Shikha Mehra, proxy
counsel for Ms. Richa Kapoor,
ASC for the State with SI
Avinash Kumar, PS Chitranjan
Park.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

20.04.2018

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By the present petition the petitioner seeks quashing of FIR No. 10/2012 under Sections 448/467/468/471 IPC registered at PS Chitranjan Park, 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 ASC 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.

Respondent No. 2 who is present in Court and is identified by the Investigating Officer states that he has settled the matter with the petitioner and does not want to pursue the abovementioned FIR and the proceedings

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pursuant thereto.

Respondent No. 2 further states that he has received the vacant peaceful possession of the servant room on the terrace of his property bearing No. B-278, C.R. Park, New Delhi from the petitioner and has paid a sum of ₹6.50 lakhs to the petitioner.

Petitioner who is present in Court and is 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. 10/2012 under Sections 448/467/468/471 IPC registered at PS Chitranjan Park, Delhi and proceedings pursuant thereto are hereby quashed.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

Petition and application are disposed of. Order dasti.

MUKTA GUPTA, J.

APRIL 20, 2018

‘yo’

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