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

+ **W.P.(CRL) 3082/2017**

GAGANDEEP SINGH & ORS

..... Petitioners

Represented by: Mr. Yashpal Jolly and Mr.
Mahesh Kumar Gautam,
Advocates with petitioners in
person.

versus

THE STATE NCT OF DELHI & ORS

..... Respondents

Represented by: Mr. Rajesh Mahajan,
Additional Standing Counsel
for State with ASI Mange Ram,
PS Tilak Nagar.
Respondent Nos. 2, 3 and 4 in
person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

17.04.2018

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By the present petition the petitioners seek quashing of FIR No. 561/2015 under Sections 354/392/452/34 IPC registered at PS Tialk 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 Additional Standing Counsel for the State on instructions from Investigating Officer submits that the above-noted FIR is a cross case registered on the complaint of respondent No. 2 wherein the complainant/respondent No. 2 alleged that on 30th March, 2015 at about 11.45 PM after having dinner at the house of her sister, when she, her friend

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and husband of the friend namely Maninder Singh came near their car they found the side mirror broken. Petitioner Gagandeep Singh, Mahender Singh and Jagvinder Kaur and the brother of Gagandeep Singh namely Rinkle were present there and on seeing, they uttered that they would not be spared. It is alleged that Gagandeep slapped the complainant and snatched gold chain of Parameet Kaur @ Shalu and abused them in flighty language. Learned Additional Standing Counsel for State further submits that the three petitioners, i.e. Gagandeep Singh, Mahender Singh, Jagvinder Kaur are the only accused and the fourth accused Rinkle has since passed away, the respondent No. 2 the complainant and respondent Nos. 3 and 4 the other victims. He states that no other person is involved in the above noted FIR.

Respondent Nos. 2, 3 and 4 are present in Court and are identified by the Investigating Officer. They state that they have settled the matter with the petitioners before the Delhi High Court Mediation and Conciliation Centre on 9th February, 2018. They further state that a minor quarrel took place between the parties and there was a confusion with regard to the snatching of the gold chain of Parameet Kaur @ Shalu and the same was later traced. In terms of the settlement they do not wish to pursue the above-noted FIR and the proceedings pursuant thereto and will abide by the terms of settlement.

The petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent Nos. 2 to 4 and undertake to abide by the terms of the settlement arrived at between the parties before the Delhi High Court Mediation and Conciliation Centre on 9th February, 2018, copy whereof is annexed at pages 58-62 of the paper-book.

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. Since the offence under Section 392 IPC is not made out, there is no legal impediment in quashing the FIR in question.

Consequently, FIR No. 561/2015 under Sections 354/392/452/34 IPC registered at PS Tialk Nagar, Delhi and proceedings pursuant thereto are hereby quashed.

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

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

APRIL 17, 2018
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