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

+ **W.P.(CRL) 3217/2017**

AMIT KUMAR

..... Petitioner

Represented by: Mr. Viraj Kadam, Advocate with
petitioner in person.

versus

THE STATE GOVT OF NCT OF DELHI & ANR..... Respondents

Represented by: Ms. Richa Kapoor, Additional
Standing Counsel for State with SI
Naresh Kumar, PS Dwarka, South.
Mr. Arup Banerjee, Advocate for
respondent No.2 with respondent
No.2 in person.
Respondent No.3 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

29.10.2018

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On the last date of hearing, when this petition was listed and after this Court had passed the order, parties left the Court room, whereafter respondent No.3 re-appeared stating that respondent No.2 has abused her. Thus this Court requested the learned Additional Standing Counsel for the State to take the complaint of respondent No.3 and after inquiring into the same, submit a report to this Court. Report has been placed on record by the learned Additional Standing Counsel. Respondent No.2 who is present in Court has apologised to respondent No.3 for her misbehaviour which apology has been accepted.

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By the present petition, petitioner seeks quashing of FIR No. 626/2016 under Sections 354/354D/509/506/341 IPC registered at PS Dwarka South, 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 in the above-noted FIR the petitioner is the only accused, the respondent Nos. 2 the complainant/victim and respondent No. 3 the other victim.

Respondent Nos. 2, who is present in Court and identified by the learned counsel and the Investigating Officer and respondent No.3, who is also present in Court and identified by the Investigating Officer state that they have settled the matter with the petitioner who has tendered his apology and assured that no such misbehaviour will take place in future. In terms of the settlement she does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

The petitioner who is present in Court and is identified by the learned counsel affirms the statement of respondent No.2. Tendering his unqualified apology he also states that no such misbehaviour will take place in future and to show remorse the petitioner undertakes 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

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FIR in question.

Consequently, FIR No. 626/2016 under Sections 354/354D/509/506/341 IPC registered at PS Dwarka South, Delhi and proceedings pursuant thereto are hereby quashed subject to the petitioner depositing a cost of ₹25,000/- with the Chief Minister's Distress Relief Fund, Kerala within two weeks. Receipt thereof will be placed on record.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

OCTOBER 29, 2018

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