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

+ **W.P.(CRL) 3501/2017**

MONIA DEWAN & ANR

..... Petitioners

Represented by: Mr. Ravin Rao, Ms. Annu Yadav and Mr. Kartik, Advocates with petitioners in person.

versus

STATE (GOVT OF NCT OF DELHI) & ORS Respondents

Represented by: Mr. Jamal Akhtar and Mr. Anuj Jain, Advocates for Mr. Rahul Mehra, Standing Counsel for State with SI Surender Ahlawat, PS Moti Nagar. Mr. Sumit Choudhary, Mr. Ankit Goel and Mr. Kanwar Kochhar, Advocates for respondent Nos. 2 & 3 with respondent No.2 & 3 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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12.04.2018

Crl. M.A. No. 20633/2017 (Exemption)

Allowed, subject to all just exceptions.

W.P.(CRL) 3501/2017

By the present petition the petitioners seek quashing of FIR No.40/2017 under Section 186 IPC and Sections 3/4 of Medicare Service Persons and Medicare Service Institutions (Prevention of Violence and Damage of Property) Act, 2008 registered at PS Moti Nagar, Delhi on the **W.P.(CRL) 3501/2017**

Page 1 of 3

complaint of respondent No.2 Dr. Bhaskar Verma, Medical Superintendent, Acharya Bhikshu Hospital and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned proxy counsel for learned Standing Counsel for the State on instructions from Investigating Officer submits that the above-noted FIR was registered pursuant to the grievance of respondent No. 3 addressed to respondent No. 2 who was his senior authority and Medical Superintendent, Acharya Bhikshu Hospital, Moti Nagar. Thus respondent No. 2 is the complainant and senior officer of respondent No. 3, who is the victim in this case. He further states that the two petitioners are the only accused in the above noted FIR.

Respondent No. 2 Dr. Bhaskar Verma, Medical Superintendent, Acharya Bhikshu Hospital, Moti Nagar and respondent No. 3 Dr. Sunil Kumar, Casualty Medical Officer, Acharya Bhikshu Hospital are present in Court and are identified by the learned counsel and the Investigating Officer. They state that they have settled the matter with the petitioners vide Compromise Deed dated 12th December, 2017, copy whereof is at pages 35 to 38 of the present petition, of their own free will volition. In terms of the settlement they do not wish to pursue the above-noted FIR and the proceedings pursuant thereto. They further state that the respondent No. 2 is the competent authority to grant sanction for offence punishable under Section 186 IPC.

Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent Nos.2 and 3 and undertake to abide by the terms of the settlement arrived at between the parties vide ***W.P.(CRL) 3501/2017***

Compromise Deed Dated 12th December, 2017 and assure that no such misbehaviour will take place in future.

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 FIR in question.

Consequently, FIR No.40/2017 under Section 186 IPC and Sections 3/4 of Medicare Service Persons and Medicare Service Institutions (Prevention of Violence and Damage of Property) Act, 2008 registered at PS Moti 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 12, 2018
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