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

+ **W.P.(CRL) 208/2019**

AMANPREET PASSY & ANR

..... Petitioner

Represented by: Mr. Sameer Mendiratta, Advocate.

versus

THE STATE (NCT OF DELHI) & ANR

..... Respondent

Represented by: Mr. Jamal Akhtar, Advocate for Mr.
Rahul Mehra, Standing Counsel for the
State with SI Dhananjay Dubey, PS
Anand Vihar.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

% **18.02.2019**

CrI.M.A. No. 1452/2019 (Exemption)

Allowed, subject to all just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 564/2016 under Sections 323/341/427/506/509/34 IPC registered at PS Anand Vihar, 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 Standing Counsel for the State on instructions submits that in the above noted FIR the two petitioners are the accused and the respondent No.2 is the only complainant/ victim.

On the last date of hearing this Court had directed the State to produce the CD of the video footage as to what happened to the child of the petitioners and the act of the petitioners as well.

In the above noted FIR the allegations of respondent No. 2/complainant are that on 7th December, 2016 at 12:20 P.M. the petitioner

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No. 1 came with her daughter and was very upset and wanted to see the video footage of the day. She also inquired about the schedule of the day. Further on same day at 12:30 P.M. petitioner No. 2 came to the Principal's office and asked to see the video. When he saw the video and saw the respondent No. 2 pushing the chair of his daughter resulting in the child reaching close to the table, petitioner No. 2 called the respondent No. 2 in the office and started abusing her and intimidated her. Respondent No. 2 apologised for her act. Petitioner No. 2 warned her that he would ruin his career and put her behind the bars. Despite again respondent No. 2 tendering apology while the respondent No. 2 was leaving from the room petitioner No. 2 stopped and stated that she could not go out till his wife comes i.e. petitioner No. 1 who is a Deputy Commissioner. After some time, petitioner No. 1 entered the office. On the petitioner No. 2 pointing out towards the respondent No. 2, petitioner No. 2 asked petitioner No. 1 to teach her a lesson. Petitioner No. 1 became aggressive and started slapping the respondent No. 2 and did it six times. Later petitioner No. 2 lifted a glass from the table and threw it on floor and thus creating chaos and panic.

Since the claim of the petitioners was that the respondent No. 2 had beaten their child who was studying in the said school this Court called for the CCTV footage as per which respondent No. 2 had not beaten the child, however, while the child was sitting, her chair was pushed in front resulting in imbalance of the child.

Respondent No. 2 who is present in Court and is identified by the learned counsel and Investigating Officer states that she has settled the matter with the petitioners vide the settlement deed dated 1st August, 2018, ***W.P.(CRL) 208/2019***

copy whereof is annexed as Annexure-P2 to the present petition. In terms of the settlement she does not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

Petitioners who are present in Court and are 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. They assure that no such misbehaviour will take place in future. To show remorse they undertake to deposit cost.

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. 564/2016 under Sections 323/341/427/506/509/34 IPC registered at PS Anand Vihar, Delhi and proceedings pursuant thereto are hereby quashed subject to the petitioners depositing a sum of ₹25,000/- with the Delhi High Court Staff Welfare Funds within four weeks.

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

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

FEBRUARY 18, 2019

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