

\$~170

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

+ W.P.(CRL) 1038/2019 & CRL.M.A. 7623/2019

SATISH KUMAR

..... Petitioner

Through: Mr Lokesh Kumar Mishra, Advocate.

versus

STATE & ANR

..... Respondents

Through: Mr Sanjay Lao, Additional Standing Counsel with Karanjeet Sharma, Advocate for State.
Mr S. K. Dubey and Mr Raj Mangal Kumar, Advocates for R-2 alongwith respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

%

05.11.2019

1. The petitioner has filed the present petition, *inter alia*, praying that FIR No.0008/2019 under Section 354(D) of the IPC registered with PS Tilak Marg and all proceedings emanating therefrom be quashed.
2. After some arguments, Mr Dubey, learned counsel appearing for respondent no.2, fairly states that the incident reported may be because of certain misunderstanding and certain anxiety on the part of the complainant. Respondent no.2 (the complainant) is present in the Court and she also states that on reflection of the incident she would not like to pursue the present FIR either against the petitioner or against Mr Abhijit Chatterjee (co-accused)

3. This Court had also suggested to the petitioner that given the nature of disputes that had arisen between the petitioner and the complainant, it would be apposite to put quietus to the entire controversy by the parties withdrawing all allegations against each other. The learned counsel appearing for the petitioner states that he has conferred with the petitioner and he is not willing to withdraw his complaint.
4. This Court accepts the contention that the complainant (respondent no.2) had filed the complaint without any malice or any vexatious intent but on understanding of the incident as it had transpired.
5. Mr Abhijit Chatterjee, co-accused in the FIR is also present in the Court. He also confirms that he has no grievance against respondent no.2.
6. In view of the statements made by respondent no.2, the present petition is allowed and FIR No. No.0008/2019 under Section 354D of the IPC registered with PS Tilak Marg and all proceedings emanating therefrom are quashed.
7. It is also clarified the petitioner is not at liberty to initiate any proceedings in this regard to the incident or the FIR in question.
8. The pending application is also disposed of.

VIBHU BAKHRU, J

NOVEMBER 05, 2019
MK