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

+ **W.P.(CRL) 2939/2019**

SAJID KHAN & ANR

..... Petitioners

Through: Mr Rahul Kumar, Mr Sudeesh
Kumar, Mr Manoj Bharti and Mr
Jitender Kumar, Advocates.

versus

THE STATE & ANR

..... Respondents

Through: Ms Nandita Rao, ASC (Crl.) for State
with Mr Amit Peswan, Advocate with
SI Nishant, Ps Kamla Market.
Ms Kajal Singhal, Advocate for
respondent.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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17.10.2019

CRL.M.A. 38409/2019

1. Allowed, subject to all just exceptions.

W.P.(CRL) 2939/2019

2. The petitioners have filed the present petition, *inter alia*, praying that the FIR bearing no.0179/2019 under Section 354 IPC, registered with PS Kamla Market and all proceedings emanating therefrom, be quashed.

3. The said FIR was registered at the instance of respondent no.2. She had complained that the petitioners had misbehaved with her. The

petitioners have now filed the present petition stating that they have settled their disputes and differences with respondent no.2. A Memorandum of Settlement dated 11.09.2019 was also entered into between them and a copy of the same has been annexed alongwith the present petition. The said Memorandum of Settlement records that respondent no.2 had filed the complaint because she was angry and not in a stable mental condition to understand the circumstances. It is also stated that she had misunderstood the incident.

4. Respondent no.2 is present in the Court. She is identified by the Investigating Officer. She stands by the statement made in the said Memorandum of Settlement and joins the petitioners in praying that the FIR in question be quashed. She further states that she has no grievance against the petitioners.

5. The petitioners are also present in the Court and are identified by their counsel. They also state that they have no grievance against respondent no.2 and further undertake to this Court to ensure that they will not indulge in any conduct that can be misunderstood, in any manner, as was done in this case. They also undertake to this Court to ensure that respondent no.2 and other women would be accorded due respect. They are also cautioned that in the event any further incident is reported, the complaint in this case shall be read to their prejudice. They state that they fully understand the implications of this observation.

6. Considering the circumstances of this case, this Court is of the view that ends of justice would be served in quashing the FIR in question. In

view of the above, the FIR No. 0179/2019 under Section 354 IPC, registered with PS Kamla Market and all proceedings emanating therefrom, are quashed.

7. The petitioners and respondent no.2 shall sign this order as an acknowledgment of their statements recorded therein.

8. Order *dasti* under signatures of the Court Master.

VIBHU BAKHRU, J

OCTOBER 17, 2019
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