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

+ W.P.(CRL) 2164/2018

BHAGAT SINGH & ANR

..... Petitioners

Represented by: Mr.Abhinav Ramkrishna, Advocate

versus

STATE OF NCT OF DELHI & ANR

..... Respondents

Represented by: Ms.Kamna Vohra, ASC for the State
Ms.Inderjeet Sidhu, Amicus/Curiae
Advocate for the complainant

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

% **30.01.2019**

Crl.M.A.No.2022/2019

Allowed subject to just exceptions.

Crl.M.A.No.2021/2019

By this application, the petitioners seek early hearing of the petition as the parties have settled the matter.

Application is disposed of granting early hearing of the petition which is taken up for hearing today.

The date of 2nd April, 2019 in W.P.(Crl.) No.2164/2018 is cancelled.

W.P.(Crl.) No.2164/2018

1. By this petition, the petitioner No.1 who is the father and petitioner No.2 who is the brother of respondent No.2 seek quashing of FIR

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No.44/2018 under Section 354A IPC registered at PS Prasad Nagar on the complaint of respondent No.2.

2. During the course of the present proceedings, parties were referred to mediation. Though no final settlement could be arrived at in the mediation proceedings, however thereafter the parties have entered into a settlement out of Court and in this regard statement of respondent No.2 has also been recorded before the learned Metropolitan Magistrate No.1, Mahila Courts, Central District on 7th January, 2019 wherein she has undertaken to cooperate in the quashing of the abovenoted FIR.

3. Learned Additional Standing Counsel for the State on instructions submits that in the above noted FIR the two petitioners are the only accused and the respondent No.2 is the only complainant/victim. Pursuant to the investigation, charge sheet has already been filed.

4. Respondent No.2 who is present in Court and is identified by the learned Amicus Curiae who was appointed on her behalf by this Court vide order dated 12th October, 2018 states that the abovenoted FIR was lodged under some confusion and since the parties are related they have settled the disputes. The respondent No.2 has already received her jewellery which was lying with the petitioner No.1 and the mother of the respondent No.2 and petitioner No.1 has undertaken to pay a sum of ₹2,000/- per month to the respondent No.2 as maintenance. She states that since the disputes have been resolved and the abovenoted FIR which was lodged due to some confusion be permitted to be quashed so that parties live amicably together in the same house.

5. 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 and state that they would continue to pay sum of ₹2,000/- per month to the complainant as maintenance.

6. 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, rather the same would create further acrimony between them, 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.

7. Consequently, FIR No.44/2018 under Section 354A IPC registered at PS Prasad Nagar and proceedings pursuant thereto are hereby quashed.

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

9. Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

JANUARY 30, 2019

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