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

+ W.P.(CRL) 2942/2018

RAVI TOMAR @ KULDEEP TOMAR Petitioner

Represented by: Mr. R.K. Rawat, Adv.

versus

STATE OF (NCT OF DELHI) & ANR

..... Respondent

Represented by: Ms. Iti Pandey, proxy Adv. for Ms.
Nandita Rao, ASC with SI Manish
Tyagi, PS Gandhi Nagar.
Mr. Nishant Rajora, Adv. for R-2
with R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
22.02.2019

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By the present petition the petitioner seeks quashing of FIR No. 237/2017 under Sections 328/385/469/496 IPC registered at PS Gandhi Nagar, 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 the learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR the petitioner is the only accused and respondent No.2 the only complainant/ victim.

Respondent No. 2 is present in Court and is identified by the learned counsel and the Investigating Officer. She states that the above-noted FIR

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was registered when under intoxication the petitioner got signed certain documents from her which later revealed that a purported marriage was performed which marriage between the petitioner and respondent No.2 has already been annulled by a Court of competent jurisdiction. She further states that in view of the fact that she has to move on in life and has entered into a settlement with the petitioner, she does not wish to pursue the above-noted FIR and the proceedings pursuant thereto. She further states that she will abide by the terms of settlement arrived at between the parties.

Petitioner who is present in Court and is identified by the learned counsel affirm the statement of respondent No.2. He states that he will abide by the terms of settlement arrived at between the parties. He further states that in future he will neither interfere in the life of the respondent No.2 nor has in his possession any of the photographs or documents relating to respondent No.2 and in case the same are available he will never use the same.

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.

Consequently, FIR No. 237/2017 under Sections 328/385/469/496 IPC registered at PS Gandhi Nagar, Delhi and proceedings pursuant thereto are hereby quashed. It is clarified that in case the petitioner does not abide

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by the undertakings before this Court, the respondent No.2 will be at liberty to seek recalling of this order.

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 22, 2019
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