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

+ **W.P.(CRL) 3113/2018**

PAYAL & ANR

..... Petitioner

Represented by: Mr. Rakesh Bansal, Advocate.

versus

STATE (NCT OF DELHI) & ANR

..... Respondent

Represented by: Mr. Jamal Akhtar and Mr. Amanpreet Singh, Advocates for Mr. Rahul Mehra, Standing Counsel for the State with SI Anand Pratap Singh, PS Laxmi Nagar.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

25.02.2019

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By the present petition the petitioners seek quashing of FIR No. 366/2016 under Sections 420/408/498/471 IPC registered at PS Madhu 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 as impleaded by amended memo of parties are the accused and the respondent No.2 is the only complainant/ victim.

Respondent No. 2 who is present in Court and is identified by the Investigating Officer states that he has settled the matter with the petitioners vide the Memorandum of Understanding dated 10th April, 2018, copy
W.P.(CRL) 3113/2018

page 1 of 2

whereof is annexed as Annexure-B to the present petition. In terms of the settlement respondent No. 2 has received his entire amount of ₹2,78,250/- and has now no claim whatsoever remaining against the petitioners. In terms of the settlement he does not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

Petitioner No. 1 is present in Court. Petitioner No. 2 is the mother of petitioner No. 1 and is not available due to ailments. Petitioner No. 2 is exempted from appearing before this Court. Petitioner No. 1 affirms the statement of respondent No.2 and undertakes to abide by the terms of settlement arrived at between the parties.

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. 366/2016 under Sections 420/408/498/471 IPC registered at PS Madhu Vihar, Delhi and proceedings pursuant thereto are hereby quashed qua both the petitioners.

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 25, 2019

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W.P.(CRL) 3113/2018

page 2 of 2