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

+ W.P.(CRL) 3465/2018

HARPREET SINGH & ANR

..... Petitioner

Represented by: Mr. Ajay Chaudhary, Mr. Viresh
Chaudhary, Advs.

versus

STATE & ANR

..... Respondent

Represented by: Ms. Kamna Vohra, ASC with SI
Santosh PS Mandawali.
R-2 to 4 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

06.02.2019

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By the present petition the petitioners seek quashing of FIR No. 117/2013 under Sections 363 IPC registered at PS Mandwali Fazal Pur, Delhi on the complaint of late Naresh KumarSingh on the ground that the parties have settled the matter.

Learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR the two petitioners are the only accused and respondent No.2 the daughter of complainant is the victim. She states that since the complainant states that during the course of investigation Section 365/366/368/34 IPC were also added, however in view of the statement of respondent No.2/victim recorded under Section 164 Cr.P.C. wherein she stated that she went on her own volition and that no sexual assault or any misbehaviour was committed with it, a cancellation report has been prepared.

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Respondent No.2 the victim and a legal heir of late complainant besides the two other legal heirs of the complainant i.e. the wife and the son of the complainant i.e. respondent No.3 and 4 are present in Court and are identified by the investigating officer. They all state that even de-hors the fact that a cancellation report has been prepared by the SHO PS Mandawali Fazal Pur, the parties have settled the matter and the purported marriage has already been declared null and void. They state that they do not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

Petitioner No.1 who is present in Court and is identified by the learned counsel affirms the statement of respondents No.2, 3 & 4. Petitioner No.2 is on dialysis and thus exempted from appearing before this Court.

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. 117/2013 under Sections 363 IPC registered at PS Mandawali Fazal Pur, Delhi and proceedings pursuant thereto are hereby quashed qua 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 06, 2019
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