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

+ **W.P.(CRL) 394/2020**

MR. JITENDER SHIVDAYAL CHOUKSEY Petitioner
Through: Mr. S.R. Singh, Advocate with petitioner in
person.
versus

STATE & ANR. Respondents
Through: Ms. Nandita Rao, ASC for the State with SI
Sandeep Kumar PS Kalkaji.
Mr. R.P. Luthra, Advocate for R-2 with
brother/attorney of R-2 in person.

CORAM:
HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER
% **07.02.2020**

Crl. M.A.No. 2921/2020 (for exemption)

Exemption allowed subject to just exceptions.

The application stands disposed of.

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1. Issue notice. Learned APP for the State accepts notice.
2. Learned counsel for respondent No.2 enters appearance on behalf of respondent no. 2 and accepts notice. He submits that respondent no. 2 is represented through her brother who is her power of attorney holder.
2. This is a petition filed under Section 482 Cr.P.C. for quashing of FIR No.233/2019, under Sections 354(D) IPC, registered at Police Station - Kalkaji, Delhi, and all proceedings emanating therefrom.
3. On the complaint of respondent No. 2 above said FIR was

registered against the petitioner on 16.04.2019.

4. Counsel for the petitioner submits that during the pendency of the trial, the parties have settled the matter amicably in terms of settlement dated 02.05.2019. Copy of the settlement is also placed on record.

5. It is submitted on behalf of respondent no. 2 that she has settled her disputes with the petitioner. It is further submitted that she has no objection if the FIR in question is quashed.

6. Learned APP for the State submits that in view of the settlement between the parties, the State has no objection if the FIR in question be quashed.

7. Keeping in view the above facts and circumstances, since the matter has been amicably settled between the parties, no useful purpose will be served by keeping the case pending. It will be nothing but abuse of the process of law. Consequentially, this petition is allowed, subject to costs of ₹50,000/- to be deposited by the petitioner with Delhi State Legal Services Authority within two weeks from today. Upon placing on record the proof of deposit of costs within a week thereafter and handing over their copies to the Investigating Officer, FIR No.233/2019, under Sections 354(D) IPC, registered at Police Station - Kalkaji, Delhi, and the proceedings emanating therefrom shall stand quashed.

8. The present petition stands disposed of accordingly. *Dasti.*

FEBRUARY 07, 2020/AMK

RAJNISH BHATNAGAR, J