

\$~28

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

+ CRL.M.C. 5072/2018

SHREESH PASSI & ORS

..... Petitioners

Through: Mr.Arun Srivastava and
Ms.Ms.Nimta, Advocates with
petitioners No.1, 2 & 4 in person.

versus

STATE & ANR

..... Respondents

Through: Ms.Manjeet Arya, APP for State.
Mr.Vikramajeet Singh, Advocate for
R-2 with R-2/complainant in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

%

05.02.2020

1. The present proceedings are instituted seeking quashing of FIR No. 1071/2013, registered under Sections 452/506/323/34 IPC at Police Station Mehrauli, New Delhi on the ground of settlement having been arrived at between the petitioner and respondent No. 2.
2. As per the case of the prosecution, the present FIR was registered against the petitioners on complaint of respondent No. 2 wherein she alleged that on 09.06.2013, all the petitioners forcibly entered her house and started quarrelling and misbehaving with her and her family members.
3. Learned APP for the State, on instructions, submits that the charge-sheet has been filed against all the four petitioners and respondent No.2 is the only victim/complainant in this case.
4. Learned counsel for the petitioners submits that petitioner No.3 is not

present in Court, as she has met with an accident. He has placed relevant medical documents on record in this regard. He further submits that except petitioner No.3, all other petitioners are present in Court today.

5. Learned counsels for the parties submit that the parties have amicably settled their dispute vide settlement dated 25.02.2017 entered before the Court of SCJ-cum-RC (South), Saket Courts, New Delhi and statements of the parties were also recorded by the Court on the said date in case bearing CS SCJ No.82602/2016 titled *Chandra Devi v. Dr. Shyam Passi & Ors.* It is further submitted that in terms of the said settlement, respondent No.2 is not left with any claim or grievance against the petitioners.

6. The parties are present in person and have been identified by their respective counsels as well as by the Investigating Officer. The petitioners have shown remorse for their conduct and have undertaken not to repeat the same in future.

7. Respondent No. 2, who is present in Court, states that she has entered into the settlement with the petitioners out of her own free will, volition and without any undue force, pressure or coercion. She further states that the petitioners have not repeated the same incident and that she has no objection if the present FIR and the consequent proceedings are quashed.

8. The parties shall remain bound by their statements made in Court today.

9. In view of the settlement arrived at between the parties, in my view, no useful purpose will be served in continuance of the present criminal proceedings against the petitioners. Accordingly, in the interest of justice,

the aforesaid FIR and the consequent proceedings emanating therefrom are hereby quashed.

10. With the above directions, the petition is disposed of.

11. Copy of this order be given *dasti* to the learned counsels for the parties.

MANOJ KUMAR OHRI, J

FEBRUARY 05, 2020

'dc'