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

\+ CRL.M.C. 5739/2018

MANISH GUPTA & ORS. ..... Petitioners

Through: Mr. Bakul Jain, Advocate with Mr. Vishal Gupta, Advocate with petitioners in person.

Versus

STATE & ANR. ..... Respondents

Through: Mr. Mukesh Kumar, APP for State with SI Rahul Kumar, P.S. Laxmi Nagar

Mr. S. Parveen, Advocate with respondent No. 2 in person

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

O R D E R

% 02.03.2020

1. The present proceedings are instituted seeking quashing of FIR No. 213/2015 under Sections 498-A/406/377/373/328/34 IPC registered at Police Station Shakarpur, Delhi on the ground of settlement having been arrived at between the parties.

2. Learned APP for the State, submits that the charge sheet in the present case has been filed under the aforesaid sections against the petitioners and respondent no.2 is the only complainant/victim.

3. Learned counsel for the petitioner submits that so far as allegations under Section 377 IPC are concerned, he has referred to the order dated 06.08.2018 passed by the trial court wherein it was recorded that on 10.04.2015, it had come in the verification report by the Investigating Officer that the complainant, on the alleged date of incident, was in Mumbai where she had withdrawn money from some ATM.

4. Learned counsel for the petitioners submits that the petitioners and respondent no.2 have entered into a settlement on 06.05.2015 before Delhi Mediation Centre, Karkardooma Courts, Delhi. A copy of the same is annexed with the petition as Annexure-B. In terms of the settlement, respondent No. 2 is now left with no claim whatsoever against the petitioners.

5. The petitioners and respondent no.2 who are present in person are identified by their respective counsels as well as by the Investigating Officer.

6. Respondent no. 2 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 she has no objection if the present FIR and consequent proceedings are quashed.

7. Learned counsels for the parties submit that no other proceedings are pending between the parties.

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

9. In view of the settlement arrived at between the parties voluntarily, in my view, no useful purpose will be served in continuance of the present criminal proceedings. Accordingly, in the interest of justice, aforesaid FIR and the consequent proceedings emanating therefrom are hereby quashed.

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

11. Order *dasti* to the counsels for the parties.

MANOJ KUMAR OHRI, J

MARCH 02, 2020/*p'ma*