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

Date of decision: February 25, 2021

+ CRL.M.C. 628/2021 & Crl.M.A. 3093/2021

SURJEET & ORS.

..... Petitioners

Through: Mr. Shyam S. Sharma,
Mr. Nishit Kush &
Mr. Sanjeev Kumar Baliyan,
Advocates

Versus

STATE ANR & ANR.

..... Respondents

Through: Mr. Amit Chadha, Additional
Public Prosecutor for
respondent No.1/ State with
WASI Sunita
Respondent No.2 in person

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

JUDGMENT (ORAL)

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1. Petitioner is seeking quashing of FIR No. 769/2020, registered at police station Sagarpur, New Delhi and consequent proceedings emanating therefrom.

2. Learned counsel for petitioner points out that due to inadvertence, a typographical error has occurred in the Memo of Parties and name of petitioner No.2 has been mentioned as

“Virender Kadiyan”, whereas he has been named as Vijender in the FIR in question and they are one and the same person.

3. Notice issued.

4. With the consent of both the sides, present petition has been taken up for final hearing and disposal.

5. Mr. Amit Chadha, learned Additional Public Prosecutor for State accepts notice and submits that respondent No.2 is the complainant of FIR in question and she is present through video conferencing and has been identified by the Investigating Officer of this case, who is also present through video conferencing. Learned Additional Public Prosecutor for State on instructions from IO submits that petitioner No.2-“Virender Kadiyan” and Vijender, mentioned in the FIR, are one and the same person.

6. Learned counsel appearing for petitioner submits that the subject matter of FIR stands amicably resolved between the parties and therefore, the proceedings arising out of FIR in question be brought to an end.

7. Respondent No. 2 present through video conferencing submits that due to anger she had registered the FIR in question

against the petitioners and now the misunderstanding stands cleared. She affirms the factum of settlement with petitioners as well as contents of her affidavit filed in support of this petition.

8. This court is conscious that in such like cases, where the complainant shall not be allowed to go free without imposing the cost, however, keeping in mind the fact that the misunderstanding has been cleared and parties wish to move on in their lives, this Court is inclined to quash FIR, as no useful purpose would be served in prosecuting petitioners any further.

9. For the reasons afore-recorded FIR No. 769/2020, registered at police station Sagarpur, New Delhi, registered at police station Hari Nagar, New Delhi and consequent proceedings emanating therefrom are hereby quashed.

10. The petition is, accordingly, allowed and disposed of.

11. Pending application also stands disposed of.

(SURESH KUMAR KAIT)
JUDGE

FEBRUARY 25, 2021

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