



\$~55

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

+ **CRL.M.C. 931/2024**

SATENDER GUPTA & ORS.

..... Petitioners

Through: Ms. Jyoti Parteek and Mr. Abhisekh Dadhsch, Advocates along with petitioners.

versus

THE STATE NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Satish Kumar, APP for the State with SI Vijay Dahiya, P.S. Prashant Vihar.
Mr. Rajender Gupta, Advocate for R-2 along with R-2.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

08.02.2024

%

1. The instant petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed on behalf of petitioners seeking quashing of FIR bearing no.385/2017, registered at Police Station Prashant Vihar, New Delhi for the offences punishable under Sections 323/325/354/354B/509/506/34 of IPC, 1860 and all consequential proceedings emanating therefrom.
2. All the petitioners are present before this Court and have been identified by their counsel Ms. Jyoti Parteek and Investigating Officer (IO) SI Vijay Dahiya from Police Station Prashant Vihar, Delhi.
3. The brief facts of the present case are that on 02.08.2017, a quarrel



had taken place between petitioners and respondent no. 2 and her family members. On the complaint of respondent no. 2, the present FIR bearing no.385/2017 under Sections 323/325/354/354B/509/506/34 of IPC was registered against the petitioners. However, during the pendency of the abovesaid case, both the parties have amicably settled all their disputes *vide* Memorandum of Understanding (MoU) dated 22.12.2023.

4. On a query made by this Court, respondent no.2 who has been identified by the IO, has categorically stated that she has entered into settlement out of her own free will, volition and without any coercion, pressure or threat and has no objection, if the FIR is quashed.

5. In view of the above facts that the parties have amicably resolved their differences out of their own free will, and without any coercion, no useful purpose will be served by continuing the proceedings, rather the same would create further acrimony between them. It would thus be in interest of justice to quash the above mentioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

6. Accordingly, FIR bearing no.385/2017, registered at Police Station Prashant Vihar, New Delhi for the offences punishable under Sections 323/325/354/354B/509/506/34 of IPC and all consequential proceedings emanating therefrom are quashed.

7. In view of the above, the present petition stands disposed of.

8. The order be uploaded on the website forthwith.

FEBRUARY 8, 2024/zp

SWARANA KANTA SHARMA, J

Click here to check corrigendum, if any