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

+ **W.P.(CRL) 2/2024**

SAMEER KHAN & ORS.

..... Petitioners

Through: Ms. Naina Walia, Mr. Lalit Kumar
and Mr. Ajit Siwach, Advocates.

versus

STATE NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Amit Peswani, Advocate for Ms.
Nandita Rao, ASC (Crl.) for State/R-1
with SI Chetan PS Begumpur, Delhi.
Mr. Sourav Sharma, Advocate for
complainant with complainant in
person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

03.01.2024

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CRL.M.A. 22/2024

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

W.P.(CRL) 2/2024

1. The present proceedings are instituted under Section 482 Cr.P.C. on behalf of the petitioners seeking quashing of FIR No. 712/2023 registered under Sections 323/341/354/34 IPC at Police Station Begumpur, Delhi on the ground that the parties have amicably settled their disputes vide settlement deed dated 16.12.2023.
2. As per the allegations levelled in the FIR, the present case was registered on the complaint of respondent No. 2/complainant against the petitioners. The complainant alleged that on 01.10.2023 she had been sexually assaulted by her husband Sameer Khan, son of Vakil Khan. She



was also physically assaulted by her mother-in-law and other family members of accused.

3. Learned counsel for the State, on instructions, submits that the petitioners are the only accused persons and respondent No. 2 is the only complainant/victim in the present case and the complainant is none other than wife of the accused/petitioner No.1. He further submits that in the present case charge sheet has already been filed.

4. Learned counsel for the petitioners submits that the parties are family members and the present FIR was registered due to misunderstanding and with the intervention of the elders, close relatives and well-wishers, the parties have amicably settled their disputes vide Settlement Agreement dated 16.12.2023, a copy of which has been placed on record as *Annexure P-2*. In terms of the said settlement, respondent No. 2/complainant is now left with no claim or grievance against the petitioners.

5. The petitioners, have joined the proceedings and are identified by their counsel as well as the Investigating Officer/SI Chetan PS Begumpur, Delhi, who is present in the Court today. Respondent No. 2 is present and is identified by the Investigating Officer.

6. The petitioners have shown remorse for their conduct and they undertake not to repeat the same in future. Respondent No. 2/complainant also states that she has entered into the aforementioned settlement agreement out of her own free will, volition and without any coercion. She further states that she has no objection if the present FIR and consequent proceedings are quashed. Copy of the gate pass issued to complainant/respondent No.2 is taken on record.

7. Learned counsel for the petitioners submits that no other proceedings



are pending between the parties.

8 The parties shall remain bound by the statements made in Court today. Learned counsel for the parties though denied the incident but assure the Court that no such incident would take place in future by the petitioners.

9. In view of the above facts and since no useful purpose will be served in continuance of the proceedings, it is directed that the aforesaid FIR and the consequent proceedings arising therefrom are hereby quashed.

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

MANOJ KUMAR OHRI, J

JANUARY 3, 2024/rd