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

+ **CRL.M.C. 8479/2024**

KAPIL KUKREJA & ANR.

.....Petitioners

Through: Mr. Chirag Aneja and Mr. Neeraj
Yadav, Advocates.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Ms. Shubhi Gupta, APP for the State.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

25.10.2024

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CRL.M.A. 32348/2024 (exemption)

Exemption granted, subject to just exceptions.

The application stands disposed-of.

CRL.M.C. 8479/2024

By way of the present petition filed under section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioners seek quashing of case FIR No. 375/2023 dated 07.11.2023 registered under sections 323/342/354/448/511/506/509/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: New Friends Colony, Delhi.

2. The petition is premised on the Affidavit dated 27.09.2024 filed by respondent No.2, who states that she has no objection to the FIR being quashed.
3. The petition is also supported by affidavits of the petitioners, alongwith proof of IDs of all the parties.



4. The contesting parties are present in court. Their credentials have been verified and they have also been identified by their respective counsel.
5. The court has interacted with the respondent No.2, as also with petitioners, who have confirmed that they have now resolved the matter. Parties now wish to live in peace and harmony going forward.
6. Ms. Shubhi Gupta, learned APP confirms that the State has no objection to the subject FIR being quashed.
7. As pointed-out by learned APP for the State, the offences under sections 323/342/448/511/509/506/34 IPC already stand compounded and the petitioners stand acquitted *vide* order dated 31.07.2024 made by the learned JMFC (Mahila Court), SED, Saket Courts, New Delhi.
8. The present petition is accordingly restricted to quashing of the offence under section 354 IPC, being a non-compoundable offence.
9. In the circumstances, in line with the law laid down by the Supreme Court in ***Gian Singh vs. State of Punjab & Anr.*** reported as (2012) 10 SCC 303 as also in ***Narinder Singh & Ors. vs. State of Punjab & Anr.*** reported as (2014) 6 SCC 466, this court sees no reason why the subject FIR and all proceedings emanating therefrom should not be quashed. This court is of the view that in light of the settlement between the contesting parties, continuing with the subject FIR and all subsequent proceedings would be an exercise in futility and would not be conducive to peace and harmony between the parties.
10. Accordingly, case FIR No. 375/2023 dated 07.11.2023 registered under sections 323/342/354/448/511/506/509/34 IPC at P.S.: New



Friends Colony, Delhi is quashed. All proceedings arising therefrom also stand closed.

11. Petition stands disposed-of.
12. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

OCTOBER 25, 2024/ak