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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CRL.M.C. 3480/2010

RAHUL KHATRI & ANR Petitioners
Through : Ms. Veena Gulia, Adv. with
petitioners in person.

versus

STATE & ANR Respondents
Through : Mr. M.N. Dudeja, APP for State.
ASI Subhash Chand, PS Janak Puri.
Mr. Ashok Ahlawat, Adv. for R-2 with
respondent No.2 in person.

CORAM:
HON'BLE MS. JUSTICE HIMA KOHLI

ORDER

% 09.11.2010

1. The present petition is filed by the petitioners under Section 482 Cr.P.C. praying *inter alia* for quashing of the FIR No.224/2010 lodged by the respondent No.2 against the petitioners under Sections 324/34 IPC with at PS Janak Puri, Delhi.

2. Counsel for the petitioners states that the incident of the subject matter of the present FIR is common to the incident mentioned in the cross FIR No.293/2010 lodged by the petitioner No.1 herein against the respondent No.2, registered with PS Binda Pur, Delhi, which was at the stage of investigation and has now been quashed on a petition

CRL.M.C. 3480/2010

Page No.1 of 3

Signature Not Verified

Signing Date:06.08.2024 17:06:00
Certify that the digital and physical file have
been compared and the digital data is as per
the physical file and no page is missing.

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filed by the respondent No.2/complainant and another, registered as Crl.M.C. No.3479/2010 in view of settlement arrived at between the parties. It is stated by the counsel for the petitioner that the petitioners and the respondents No.2/complainant are acquainted with each other and due to some misunderstanding, certain disputes arose between them, which resulted in physical assault and lodging of the aforesaid FIR by the respondent No.2 on 23.9.2010. It is now stated that during the pendency of the aforesaid proceedings, both the parties arrived at a settlement, as recorded in the Compromise Deed dated 18.10.2010 (Annexure A-4). It is stated that in view of the aforesaid settlement arrived at between the parties, the present FIR may be quashed.

3. The respondent No.2/complainant, who is present in the Court, confirms the fact that the aforesaid settlement has been arrived at with the petitioners of his own free will and volition and without any undue influence or coercion from any quarters. Counsel for the respondent No.2/complainant states that in view of the aforesaid settlement arrived at between the parties, his client has no objection to quashing of the aforesaid FIR, more so when FIR No.293/2010 lodged by petitioner No.1 against respondent No.2 has been quashed in view of the settlement.

4. Learned APP for the State states, on instructions from the Investigating Officer, that the matter is at the stage of investigation, and confirms the fact that the parties have arrived at a settlement. He, therefore, does not oppose the prayer made in the present petition.

5. This Court has heard counsels for the parties. In view of the submission made by the respondent No.2/complainant and in view of the fact that the parties have arrived at a settlement of their own free will and volition and without any undue influence or coercion from any quarters, no useful purpose will be served by proceeding further with the aforesaid FIR and the proceedings arising therefrom.

6. Accordingly, the prayer made in the petition is allowed and FIR No.224/2010 lodged by the respondent No.2/complainant with PS Janak Puri, Delhi and all proceedings arising therefrom stand quashed.

7. The petition is disposed of. File be consigned to the record room.



HIMA KOHLI,J

NOVEMBER 09, 2010
sk

Date Bound Case for _____

Out Today _____

Most urgent _____

HIGH COURT OF DELHI AT NEW DELHI

No. 3922/-22 Cr.

Dated 19-11-10

From :

The Registrar General
High Court of Delhi,
New Delhi

To:

① C.M.M., Tis Hazuri /or successor
Delhi Court,

② The S. Ho, Io, Ao
P.S. Janak Puri,
New Delhi

Criminal M.C. No. 3480/10

Rahul Khatri & ans

Petitioner

Versus

State of ans

Respondent

Petition under Section 432/439/482 Cr. P.C. for quashing of FIR-224/10
U/S - 324/34 IPC

Police Station Janak Puri

FIR No. 224/10

Sir,

In continuation of this Court's letter No. _____ Dated _____

I am directed to forward herewith for immediate compliance/necessary action a copy of judgement/order dt. 9/11/10 passed in the above case by Hon'ble Ms Justice Hima Kohli of this Court. Other necessary directions are contained in the enclosed copy of order.

~~The Court while issuing notices/adjourning the case~~

~~The Lower Court's record as detailed below are sent herewith.~~

Encl: Copy of order dated 9/11/10
and Memo of parties.

Yours faithfully

[Signature]
Asstt. Registrar (Cr.)
Admn. Officer Jud. (Cr.)
for Registrar General.