

\$~18 A & B.

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

+ CRL.A. 291/2014

RAJENDER SINGH

..... Appellant

Through : Mr.Pradeep Kumar Arya, Mr.Rana Kunal, Mr.narinder Chaudhry, Mr.Siddhant Malik, Mr.Pankaj and Mr.Vijay Kumar, Advs. along with the appellant.

versus

STATE & ORS

..... Respondent

Through : Mr.Feroz Khan Ghazi, APP for the State. Mr.Ram Lal and Mr.Lalit Narayan Singh, Advs. for respondents no.2 and 3 along with respondents no.2 and 3.

+ CRL.A. 1612/2014

STATE GOVT. OF NCT OF DELHI

..... Appellant

Through : Mr.Feroz Khan Ghazi, APP for the State.

versus

BALAK RAM & ANR.

..... Respondents

Through : Mr.Ram Lal and Mr.Lalit Narayan Singh, Advs. for respondents with respondents.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

18.02.2015

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1. CRL.A. 291/2014 has been filed by the victim/injured and CRL.A.1612/2014 has been filed by the State. Both these appeals are being disposed of by a common order as it is informed by counsel for the parties that the parties (injured and the accused persons) have arrived at an amicable settlement.

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By:AMULYA

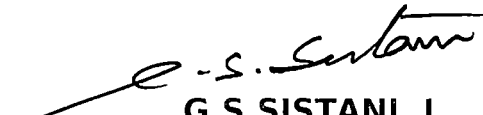
2. As per the case of the prosecution a man, namely, Rajender Singh (appellant in CRL.A. 291/2014), was shot at Janta Flats in front of

GTB Hospital, near Masjid. The injured, Rajender Singh, is the husband of the sister of the accused persons, Sh.Balak Ram and Sh.Sanjay (respondents no.2 and 3 in CRL.A. 291/2014 and respondents no.1 and 2 in CRL.A.1612/2014). DD No.11A was recorded at Police Station Dilshad Garden pursuant to which an FIR was lodged under Section 307 of the Indian Penal Code read with Section 27 of The Arms Act. The prosecution has examined 16 witnesses. Statement of respondents no.2 and 3 herein were recorded under Section 313 of the Code of Criminal Procedure. The trial Court reached a conclusion that the prosecution has failed to prove its case under Section 307 of the Indian Penal Code beyond reasonable doubt. The trial Court, however, opined that the prosecution had been able to prove its case under Section 324 read with Section 34 of the Indian Penal Code. Respondent no.2, Balak Ram, was held guilty for the offence punishable under Sections 324/34 IPC read with Section 27 of the Arms Act.

3. Learned counsel for the parties submit that having regard to the facts that the parties are close relations and with the intervention of elders and friends the parties have entered into an amicable settlement with each other and respondents no.2 and 3 have tendered an unconditional apology to the victim, Mr.Rajender Singh, the present appeals may be disposed of on the following agreed terms:

- (i) respondents no.2 and 3 have tendered an unqualified apology to the victim, Mr.Rajender Singh.
- (ii) To put a quietus to the matter, the parties to the present matters shall not press or institute any further litigation in any Court of law.
- (iii) Respondents no.2 and 3 would not harass or harm Mr.Rajender Singh (appellant in Crl.A.No.291/2014) or his family members, in any manner whatsoever, in future.
- (iv) Respondents no.2 and 3 have paid a sum of Rs.4.50 lakhs to Mr.Rajender Singh (appellant in Crl.A.No.291/2014) in Court towards full and final settlement of all disputes and differences, which amount is duly acknowledged by the appellant.

4. Accordingly, as prayed, both these appeals stand disposed of in above agreed terms.


G.S.SISTANI, J


SANGITA DHINGRA SEHGAL, J

FEBRUARY 18, 2015
msr