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

Judgment delivered on: 17th November, 2015

+ CRL.M.C. 4639/2015

ANIL BHEL & ORS

..... Petitioners

Represented by: Mr. Anjum Kumar, Adv.

versus

STATE & ANR

..... Respondents

Represented by: Ms. Meenakshi Chauhan, APP
for State with SI Nitu Singh, PS-Mianwali
Nagar.

CORAM:

HON'BLE MR. JUSTICE SURESH KAIT

SURESH KAIT, J. (Oral)

1. Vide the present petition filed under Section 482 of the Code of Criminal Procedure, 1973, petitioners seek quashing of FIR No.387/2015 registered at Police Station Mianwali Nagar for the offences punishable under Sections 323/341/34 of the IPC and the consequential proceedings emanating therefrom against them.

2. Learned counsel appearing on behalf of the petitioners submits that the aforesaid case was registered on the complaint of respondent No.2, Chiranji Lal. Meanwhile, the respondent No.2 has amicably settled the disputes with the petitioners vide Compromise Deed dated 21.10.2015 for a total sum of Rs.45,000/-, which has already been paid to him by the petitioners. On receipt of agreed amount, respondent No.2 is no more interested to pursue his case anymore against the petitioners and has no

objection, if the present petition is allowed.

3. Respondent No.2 is personally present in the Court. For his identification, he has placed on record the copy of his Aadhar Card bearing No.658622946336, which is at Page 41 of the instant petition. Respondent No.2 does not dispute as to what is stated by learned counsel for petitioners and consequent to settlement and on receipt of entire agreed amount, he does not wish to pursue the case further against the petitioners and has no objection if the present petition is allowed.

4. Learned Additional Public Prosecutor appearing on behalf of the State submits that after investigation police has filed the chargesheet, however the charges are yet to be framed. She further submits that since the parties have amicably settled the matter and the respondent No.2/ complainant does not wish to pursue the case against the petitioners, therefore, looking to the overall circumstances, no useful purpose will be served in continuing the proceedings. Thus, the State has no objection if the present petition is allowed.

5. Undisputedly, offence punishable under Section 323/341 of the IPC is compoundable and parties invoked the jurisdiction of this Court under Section 482 Cr P C, instead of moving learned Trial Court for compounding the matter.

6. Both the parties are present in the Court today approve to the aforesaid settlement dated 21.10.2015 and undertake to remain bound by the same.

7. In view of the above discussion, considering the settlement arrived

at between the parties and the statement of respondent No.2 and the learned counsel for the State, I am of the considered opinion that this matter deserves to be given a quietus as continuance of proceedings arising out of the FIR in question would be an exercise in futility.

8. Consequently, FIR No.387/2015 registered at Police Station Mianwali Nagar for the offences punishable under Sections 323/341/34 of the IPC and all proceedings emanating therefrom, are hereby quashed against the petitioners.

9. In view of the above, the present petition is allowed.

**SURESH KAIT
(JUDGE)**

NOVEMBE 17, 2015

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