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

+ **CRL.M.C. 3373/2010**

RAJAN

..... Petitioner

Represented by: Mr. Rakesh K. Khanna, Sr.
Adv. with Ms. Shefali Jain, Ms.
Anirudh Tanwar, Advs.

versus

STATE

..... Respondent

Represented by: Mr. Ravi Nayak, APP with SI
Sandeep Kumar PS Tilak Marg.
Mr. Alok Kumar, Mr. Niranjan
Sahu, Advs. for R-2 with R-2
in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

10.08.2016

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Crl.M.A. 16696/2010

Exemption allowed subject to just exceptions.

Crl.M.A. 16697/2010

For the reasons stated in the application 240 days delay in filing the
man petition is condoned.

Application is disposed of.

Crl.M.A. 7231/2016

By this application respondent No.2 seeks return of the Trial Court
Record for the reason the proceedings were stayed before the Trial Court as

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the Trial Court Record was here. Learned counsel for the respondent No.2 does not press this application as the parties have settled the matter.

Application is dismissed as not pressed.

CRL.M.C. 3373/2010 & CrI.M.A. 8035/2016

By this petition the petitioner had initially prayed for quashing of FIR No. 303/2006, order summoning the petitioner dated 11th September, 2006 and the order framing charge under Section 3(x) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act on merits. By CrI.M.A. 8035/2016 the petitioner prays that above-noted FIR and the proceedings pursuant thereto be quashed for the reason the parties have settled the matter.

Respondent No.2 who is present in Court and is identified by the learned counsel states that he has settled the matter with the petitioner. He states that he does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

In earlier decisions of this Court titled as *Ankita Saini Vs. State* CRL.M.C.3871/2015; *Kiran Bala Vs. State of NCT of Delhi* CRL.M.C.909/2016; *Basant Kumar Mishra & Anr. Vs. State* CRL.M.C.3779/2014 and *Jeetwani Vs. State of Delhi* CRL.M.C.903/2013 this Court has quashed FIRs on the basis of compromise under the Prevention of Atrocities to Scheduled Castes and Scheduled Tribes Act. Thus, there is no legal impediment in quashing the FIR in question.

In view of the fact that the parties have amicably resolved their differences of their own free will, volition and without any coercion and no useful purpose will be served in continuance of the proceedings, rather the

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same would create further acrimony between them, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto.

Learned counsel for the petitioner states that petitioner is suffering from partial paralysis with no mobility in his lower limbs, thus he is not in a position to come to the Court. Medical documents of the petitioner are handed-over to this Court which are taken on record. The petitioner is thus exempted from appearing before this Court.

Respondent No.2 has signed this order sheet in acknowledgment of his statement made before this Court.

Consequently, FIR No. 303/2006 under Section 3(x) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act registered at PS Tilak Marg and proceedings pursuant thereto are hereby quashed.

The petition and application are disposed of.

Trial Court Record be sent back. Order dasti.

MUKTA GUPTA, J.

AUGUST 10, 2016
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