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

+ W.P.(CRL) 241/2016

BHOLA RAM & ORS

..... Petitioner

Represented by: Mr. Parimal Kumar, Adv.

versus

THE STATE OF DELHI & ANR

..... Respondent

Represented by: Mr. Rajesh Mahajan, ASC with
ASI Ajay Pal PS CAW Cell.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

05.10.2016

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By the present petition the petitioners seek quashing of FIR No. 1268/2015 under Sections 323/354(B)/392/504/34 IPC registered at PS New Usmanpur, Delhi on the complaint of Respondent No.2 on the ground that parties have settled the matter.

Learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR 5 petitioners are the only accused, respondent No.2 the complainant/ victim and respondent No.3 and 4 the other victims. He states that no other person is involved. He further states on instructions that during the course of investigation offence under Section 392 IPC was not found to be committed and though investigation is pending in case a charge-sheet is filed Section 392 IPC will not be invoked.

Respondent Nos. 2 to 4 are present in Court and are identified by the
W.P.(CRL) 241/2016

page 1 of 2

Investigating Officer. They state that they have settled the matter with the Petitioners who are their near relatives and do not want to pursue the abovementioned FIR and the proceedings pursuant thereto. Respondent Nos. 2 to 4 also submit that they will ensure that cordiality between family members is maintained and no such unfortunate incident happens in future.

Petitioners who are present Court and are identified by the learned counsel affirm the statement of respondents No. 2 to 4 and assure that in future due care and caution will be taken so that no untoward incident happens.

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 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. There is no legal impediment in quashing the FIR in question.

Consequently, FIR No. 1268/2015 under Sections 323/354(B)/392/504/34 IPC registered at PS New Usmanpur, Delhi and proceedings pursuant thereto are hereby quashed.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

The petition is disposed of. Order dasti.

MUKTA GUPTA, J.

OCTOBER 05, 2016

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W.P.(CRL) 241/2016

page 2 of 2