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

+ **W.P.(CRL) 957/2016**

KAMRAN & ORS

..... Petitioners

Through: Mr.Gajender Mohan Chand, Adv.
with petitioners in person

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Through: Mr.Sanjay Lao, A.S.C. for the State
Mr.A.Aleem, Advocate for R-2 with
R-2 in person

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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23.03.2016

CRL.M.A.5152/2016

Exemption allowed, subject to all just exceptions.

Application stands disposed of.

W.P.(CRL) 957/2016

1. This petition is filed under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure for quashing of FIR No.760/2015 under Sections 323/341/34 IPC registered at P.S.Madhu Vihar, Delhi and consequential proceedings arising therefrom.

2. The facts leading to the registration of the above mentioned FIR are on the statement made by Mst. Ishrat Jahan to the effect that on 14th July, 2015 at about 10 p.m., Kamran, grandson of her brother-in-law (Jeth), who resided on the first floor came down and started abusing with her son. Kamran was asked to go upstairs but in the meantime he was joined by his

father Ikram Khan, uncles Shokeen Khan and Iliyas Khan, who started beating her son. She tried to intervene and at that time all those four persons started beating her as well. She was pushed by Kamran as a result of which she suffered injury on her hand. They raised alarm and were rescued by their neighbours. Since the matter was settled on that date, no complaint was made to the police and she had taken treatment from Mahesh Hospital, West Vinod Nagar, Delhi. Thereafter, she reported the matter to the police.

3. Learned counsel for the petitioners submits that the matter in dispute has been amicably settled by the parties and no purpose would be served in prosecuting the petitioner, therefore, the FIR may be quashed. He further submits that another writ petition, which was filed for quashing of cross FIR No.761/2015 registered under Sections 354/323/34 IPC at PS Madhu Vihar, is listed today before another Bench and also stands quashed.

4. Respondent No.2/complainant states that she has settled the matter with the petitioners and she has no objection if the FIR in question as well as proceedings emanating therefrom are quashed.

5. In view of the aforesaid compromise arrived at between the parties, I am of the considered view that no useful purpose would be served by continuing the criminal proceedings against the Petitioners, which will only be an exercise in futile and wastage of precious time of the Court.

6. Accordingly, the petition is allowed and FIR No.760/2015 under Sections 323/341/34 IPC registered at P.S.Madhu Vihar, Delhi and consequential proceedings arising therefrom are hereby quashed.

Order Dasti.

PRATIBHA RANI, J.

MARCH 23, 2016

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