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* IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision: 02.05.2016

+ W.P.(CRL) 1346/2016 & CRL.M.A No. 7079/2016

ANIL KUMAR & ORS

..... Petitioners

Through

Ms. Saroj Bala, Advocate along with
petitioners

versus

THE STATE (GNCT OF DELHI) & ANR

..... Respondents

Through

Mr. Ashish Negi for Ms. Richa
Kapoor, ASC (Crl.)
SI Mukesh Kumar, PS Jaffarpur Kalan
Respondent no. 2/Complainant in-
person

CORAM:

HON'BLE MR JUSTICE SIDDHARTH MRIDUL

SIDDHARTH MRIDUL, J (ORAL)

CRL.M.A No. 7079/2016 (Exemption)

1. Exemptions allowed subject to all just exceptions.
2. The application is disposed of accordingly.

W.P.(CRL) 1346/2016

1. The present is a petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 (Cr.P.C.)

seeking quashing of FIR No. 195/2014, under Sections 332/341/506/34 IPC, registered at Police Station- Jaffarpur Kalan, Delhi.

2. The subject FIR came to be registered on an allegation levelled by Deven, respondent no. 2/complainant herein alleging that the petitioners who were hitherto his friends, had assaulted him on 16th August, 2014 over a trivial difference of opinion.

3. Deven, the respondent no. 2/complainant herein, who is present in court today and has been identified by the IO in the subject FIR, namely, SI Mukesh Kumar, Police Station- Jaffarpur Kalan, Delhi, states that the misunderstanding that led to the registration of the subject FIR has since been resolved amicably between the parties and that the old friends have since buried the hatchet, and consequently, he is no longer keen to proceed with the subject FIR.

4. In the present case, it is observed that the injuries suffered by Deven, the respondent no. 2/complainant herein are opined to be simple.

5. The parties to the present petition are old school mates and the present petition has the potential to blight the fledgling careers of the petitioners, who are young adults.

6. The petitioners herein, who are also present in Court today, have also expressed deep remorse at the incident and assure this Court that there shall not be a repetition. They undertake to maintain good conduct for a period of one year from today.

7. In view of the foregoing, since the dispute that led to the registration of the subject FIR has been resolved amicably by and between the parties without any undue influence, pressure or coercion, no useful purpose will be served by proceeding with the subject FIR.

8. Resultantly, FIR No. 195/2014, under Sections 332/341/506/34 IPC, registered at Police Station- Jaffarpur Kalan, Delhi is hereby set aside and quashed *qua* the petitioners subject to all of them making themselves available for community service at the Sai Baba Mandir, Najafgarh, Delhi on every Saturday between 6.00 AM to 9.00 AM for four consecutive weeks. The management of the concerned Sai Baba Mandir is requested to utilize the services of the petitioners herein in any manner they deem fit for the said purpose. The management is requested to furnish the IO in the subject FIR, with a report *qua* the conduct and demeanour of the petitioners herein, at the expiry of the aforesaid period of four weeks.

9. With the above directions, the present writ petition is allowed and disposed of accordingly.

SIDDHARTH MRIDUL, J

MAY 02, 2016

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