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

+ W.P.(CRL) 1709/2016 & CRL.M.A. 8905/2016

ROSHAN SINGH & ORS

..... Petitioner

Through: Mr. M.K. Duggal, Advocate

versus

THE STATE (GOT OF NCT OF DELHI) & ANR

..... Respondent

Through: Ms. Nandita Rao, ASC with
Mr.Mehul Jain, Advocate a/w SI
Deepak Kumar, PS Rajouri Garden

**CORAM:
HON'BLE MR. JUSTICE VIPIN SANGHI**

**ORDER
03.08.2016**

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Issue notice. Ms. Rao accepts notice on behalf of the State. The mother of respondent no.2/Raju, who is a minor, is present in court. She is identified by the IO.

The present petition seeks quashing of the criminal proceedings arising out of FIR No.739/2015 u/s 323/324/341/354/34 IPC registered at PS Rajouri Garden on the complaint of respondent no.2 against the petitioners. The petitioners are alleged to have hit the victim/ respondent no.2 with a sword like object on his head. His injury was found to be grievous. The

patient was reported to have been brought to casualty with lacerated wound on the parietal region measuring 16 cm x 19 cm x 1cm. The nature of injury was found to be sharp. However, the MLC records the injury as simple.

Learned counsel for the petitioner states that the petitioners and the complainant are neighbours. They have now arrived at a compromise. The mother of respondent no.2, Asha, wife of Dinesh states that the complainant and his family does not wish to pursue the case against the petitioners since they are neighbours and they have arrived at a settlement. She states that there is no threat, force or coercion upon her or family members to make the said statement.

The petitioners are present in court and they have been warned against any such future occurrence of this nature. They are directed not to, in any manner, trouble the complainant or his family members. The SHO, PS Rajouri Garden is directed to ensure that the beat constable of the area is sensitised, and he keeps a close watch on the conduct of the petitioners and in case there is any apprehension of any harm being caused to the victim or his family members by the petitioners, he shall take preventive steps in that regard.

In view of the fact that the complainant does not wish to pursue the complaint any further, no useful purpose would be served in continuing with the proceedings any further. However, looking to the nature of the allegations, the FIR in question is quashed subject to each of the petitioners paying costs of Rs.10,000/-, out of which Rs.5,000/- per petitioner shall be paid to the complainant in the presence of the IO, and the remaining Rs.5,000/- per petitioner shall be deposited in the Prime Minister's National

Relief Fund within two weeks. The receipt of costs be deposited with the IO.

The application stands disposed of. Dasti.

VIPIN SANGHI, J

AUGUST 03, 2016

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