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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ CRL.M.C. 2196/2016
KALI CHARAN SHARMA

Through Mr Raj Kumar Solanki, Adv. alongwith
petitioner in person Petitioner
versus
STATE & ANR.

Through Mr Hirein Sharma, Additional Public Prosecutor
for the State Respondent
Mr Dhan Mohan and Ms Tanu B Mishra, Advs.
for R2 alongwith R2 alongwith his father
Surender Seth Shokeen in person

CORAM:
HON'BLE MS. JUSTICE SUNITA GUPTA

ORDER
01.06.2016

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Crl. MA 9251/2016 (exemption)

Exemption allowed subject to all just exceptions.

The application stands disposed of.

Crl. MC 2196/2016

This is a petition u/s 482 Cr.P.C. moved by the petitioner for quashing of FIR No.743/2014 registered at Police Station Chhawla, New Delhi under S. 23 of Juvenile Justice Act, 2000 and S. 323 IPC and consequent proceedings emanating therefrom on the ground that the parties have compromised the matter.

It is submitted by counsel for the petitioner that the allegations against the petitioner are that he slapped the respondent no.2 and attacked on his back with his elbow due to which he collided with a table and sustained injuries on his nose. During the trial, learned Metropolitan Magistrate pleased to adjourn the matter as both the parties shown their willingness to settle the matter with the intervention of their family members and friends. Accordingly, both parties have now settled the matter and the respondent no.2 does not want to proceed with the matter against the petitioner. A settlement deed has also been executed between the parties in this regard which is annexed to the petition at pgs. 58 – 62. It is, therefore, prayed that the instant FIR be quashed.

The respondent No.2 is present in person alongwith his father (duly identified by his counsel) submits that he has amicably resolved all disputes with the petitioner as he wants to live peacefully. He further states that he has settled the matter with the petitioner voluntarily without there being any threat, coercion or pressure of any sort and in view of the settlement arrived at

between the parties, he does not want any action against the petitioner and has no objection to quashing of the instant FIR.

Mr Hirein Sharma, Additional Public Prosecutor for the State submits that in view of the settlement arrived at between the parties, he has no objection to quashing of FIR, however, since the State machinery has been set in motion on account of the acts of the petitioner, he be burdened with costs.

Keeping in view the facts that the parties have compromised the matter with each other amicably, this matter deserves to be given a quietus as continuance of proceedings arising out of the FIR in question would be an exercise in futility and wastage of precious time of the Court.

Accordingly, the petition is allowed and the FIR No.743/2014 registered at Police Station Chhawla, New Delhi under S. 23 of Juvenile Justice Act, 2000 and 323 IPC and consequent proceedings emanating therefrom are hereby quashed subject to payment of Rs.25,000/- as costs which be deposited by the petitioner with Prime Minister Relief Fund within two weeks from today. Copy of receipt of deposit of costs be placed on record.

The petition stands disposed of accordingly.

A copy of this order be given *dasti* to counsel for the petitioner.

SUNITA GUPTA, J

JUNE 01, 2016/*rd*