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

+ **CRL.M.C. 2870/2016**

AJEET SINGH PARIHAR & ANR

..... Petitioner

Represented by: Mr. Manoj Ohri, Sr. Adv. with
Mr. Sumit Arora, Adv. &
petitioners.

versus

STATE OF NCT OF DELHI & ANR

..... Respondent

Represented by: Mr. Ashok Kumar Garg, APP
with SI Rajender Singh, PS
Malviya Nagar & SI Mahipal
Singh, PS Gazipur.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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10.08.2016

CrI.M.A. 12302/2016

Exemption allowed, subject to all just exceptions.

CrI.M.C. 2870/2016

By this petition, the petitioners seek quashing of FIR No. 494/2004 under Sections 324/506 IPC registered at PS Malviya Nagar on the complaint of respondent No.2 as the parties have settled the matter.

Notice.

Learned APP for the State accepts notice. On instructions from the investigating officer, learned APP for the State submits that besides the two petitioners herein i.e. Ajeet Singh Parihar and Yogesh Bhatia, one more

person was implicated in the FIR whose name was later revealed as Satish M.P. who has passed away and vide order dated 23rd March, 2013 the proceedings qua Satish M.P. were abated. He further submits that besides respondent No.2 who is the complainant and injured in the above-noted FIR, one Manish Dabas was also injured victim. However, despite number of opportunities and efforts being made by the office of DCP, he could not be served. Thus, he was dropped as a witness by the prosecution as noted in the order dated 30th November, 2015 passed by learned Trial Court. Copy of order dated 30th November, 2015 is handed over to Court which is taken on record. He further states that charge was framed only against Ajeet and Yogesh as proceedings against Satish M.P. are already abated.

Respondent No.2 is present in Court and is identified by the investigating officer SI Mahipal Singh. He states that he has settled the matter with the petitioners and does not wish to pursue the above-noted FIR and proceedings pursuant thereto.

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. 494/2004 under Sections 324/506 IPC registered at PS Malviya Nagar, Delhi and proceedings pursuant thereto are hereby quashed subject to the petitioners depositing ₹15000/- each with Delhi HighCourt Staff Welfare Fund within two weeks.

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.

AUGUST 10, 2016

‘vkm’