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

+ CRL.M.C. 2670/2016

JITENDER KUMAR LAROIA

..... Petitioner

Represented by: Mr.S.P. Kalra, Sr.Adv. with Ms.
Lavisha Kamra, Advocate.

versus

STATE & ORS.

..... Respondent

Represented by: Mr. Ravi Nayak, APP for
State with SI Suresh Sharma and SI Harish
Kumar, PS Kalkaji.

Mr. Uday Shankar and Mr. Alok Kumar,
Advocates for respondent No.s. 3 & 4.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

02.08.2016

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By the present petition, the petitioner seeks quashing of FIR No. 830/2006 under Section 288/337/304-A IPC registered on the complaint of respondent No.2/Subhash Kumar.

The incident took place due to the falling of the bamboo pads, as a result of which respondent No.2 got injured, whereas one Aziz Khan, husband of respondent No.3 and father of respondents 4 to 7, passed away. Respondent No.2 Subhash Kumar who is present in court is identified by the Investigating Officer, states that he has settled the matter with the petitioner and in terms of the settlement he had received a sum of Rs. 12,000/- and the balance amount of Rs. 38,000/- has been received by him in court today. Since the sum satisfies his medical treatment and other expenses, respondent

No.2 does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

Deceased Aziz Khan is represented through respondent No.3, Mrs. Jaibunisha @ Jaigun (wife of the deceased). Respondent No.4 is the major son, whereas respondents 5 to 7 are the minor children of deceased Aziz Khan, who appear through their mother respondent No.3. Respondents No. 4 Shamshaad is identified by his counsel as well as by the Investigating Officer. He states that the matter has been settled between the petitioner and the legal heirs of late Aziz Khan, and he has no objection if the entire compensation of Rs. 4,50,000/- is handed over to his mother/respondent No.3. Mrs. Jaibunisha @ Jaigun, is present in court for herself and on behalf of respondents 5 to 7, who are minor. She has also been identified by the counsel and the Investigating Officer. She submits that in terms of the settlement she has already received a sum of Rs. 2,25,000/- and the balance amount of Rs. 2,25,000/- has been received by her today in court through the bank draft dated 30.05.2016, bearing No.512267 drawn on ICICI Bank, Nehru Place Branch. She states that she does not wish to pursue the above-noted FIR and proceedings pursuant thereto.

In view of the above, the above-noted FIR and the proceedings pursuant thereto, if any, are hereby quashed.

The parties have signed this order-sheet in acknowledgement of their statements made before this Court.

The present petition is disposed of.

Dasti.

MUKTA GUPTA, J.

AUGUST 02, 2016 /‘n’