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

+ CRL.M.C. 2807/2016 and CrI. M.A. No. 12611/2011 (Stay)

ROHAN AGGARWAL (MINOR) THR. HIS

FATHER MANISH AGGARWAL

..... Petitioner

Represented by: Ms. Suman Chauhan, Advocate
along with petitioner and his
parents in person.

versus

STATE & ANR

..... Respondents

Represented by: Mr. Ravi Nayak, APP for the
State with SI Rajesh Kumar, PS
Khyala.
Mr. R.K. Chanda, Advocate for
the complainant/respondent
No.2 with respondent No.2 in
person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

06.10.2016

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By the present petition the petitioner, who is a minor and represented through his father as guardian, seeks quashing of FIR No. 77/2016 under Sections 307 IPC registered at PS Khyala, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto pending before the learned Additional Sessions Judge, Children Courts on the ground that the parties have settled the matter.

The petitioner who was aged 16½ years at the time of the incident is alleged to have inflicted knife blows to the respondent No.2. As per the

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MLC injuries were opined to be simple in nature. In view of the body parts where the injuries were inflicted Section 307 IPC was invoked by the Investigating Agency. After the report was filed before the Juvenile Justice Board, the matter was transferred to the Children Court. During the pendency of the proceedings, the parties have settled the matter.

The Respondent No. 2 who is present in Court and is identified by the learned counsel and the Investigating Officer states that he does not wish to pursue the above noted FIR and the proceedings pursuant thereto as the parties are living in the neighbourhood.

During the course of the present petition the guardian/father of the petitioner has also acted in a manner so as to ensure that the petitioner gets a favourable environment wherein the petitioner studies and grows with other children as a respectable citizen of the society. To ensure a proper upbringing to the petitioner he has been admitted in the JRD Computer and Tuition Centre at Raghbir Nagar, Delhi where English speaking and computer courses are administered.

Father of the petitioner Shri Manish Aggarwal who is present in Court and is identified by the learned counsel and the Investigating Officer, states that the petitioner will be kept in a proper care and custody and both the parents will devote time to ensure the welfare of the child and that he does not get involved with any undesirable company. He further states that as presently it is the midst of the session and no admission is being given in regular school the petitioner is being admitted in the Open School, where he will continue his studies till the next year when the efforts will be made to admit him in the regular school.

Considering the fact that the parties have settled the matter and the parents/guardians of the petitioner are looking for his welfare and taking measures for his betterment, 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. 77/2016 under Sections 307 IPC registered at PS Khyala, Delhi and proceedings pursuant thereto are hereby quashed.

Father of the petitioner and respondent No.2 have signed this order sheet in acknowledgment of their statements made before this Court.

The petition and the application are disposed of. Order dasti.

MUKTA GUPTA, J.

OCTOBER 06, 2016

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