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

+ CRL.M.C. 4505/2016

SANT RAM & ANR

..... Petitioner

Represented by: Mr. Govind Srivastav, Adv.
with petitioners.

versus

STATE & ANR

..... Respondent

Represented by: Mr. Amit Ahlawat, APP with
ASI Shivmurti, PS Kalyan Puri.
Mr. Asad Ullah, Adv. for R-2
with R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

02.12.2016

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CrI.M.A. 18848/2016

For the reasons stated in the application, the delay of 63 days in re-filing the petition is condoned.

Application is disposed of.

CrI.M.C. 4505/2016

By this petition, the petitioners seek quashing of FIR No.20/2013 under Sections 308/34 IPC registered at PS Kalyan Puri on the complaint of respondent No.2 and proceedings pursuant thereto as the parties have settled the matter.

Learned APP for the State on instructions submits that petitioner No.1 and respondent No.2 are brothers and the two petitioners are the only accused and respondent No.1 the only complainant/victim in the above noted FIR.

Respondent No.2 who is present in Court and identified by learned counsel and investigating officer submits that he has settled the matter with the petitioners who are his brother and nephew and does not wish to pursue the above noted FIR and the proceedings pursuant thereto. Petitioners who are present in Court and identified by learned counsel affirm the statement of respondent No.2 and state that to show remorse, they are willing to deposit fine of ₹5000/- each.

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.20/2013 under Sections 308/34 IPC registered at PS Kalyan Puri, Delhi and proceedings pursuant thereto are hereby quashed, subject to the petitioners depositing a sum of ₹5000/- each with the Juvenile Justice Fund maintained by Registrar General of this Court within four weeks from today.

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.

DECEMBER 02, 2016
‘v mittal’