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

+ **CRL.M.C. 3168/2016**

SANJAY SHARMA & ORS

..... Petitioners

Represented by: Mr. Anil Kumar, Advocate
with petitioners in person.

versus

STATE & ANR

..... Respondents

Represented by: Mr. Ashok K. Garg, APP for
the State HC Rajesh Kumar and
SI Rajpal, PS Uttam Nagar.
Respondent Nos. 2 and 3 in
person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

24.10.2016

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By the present petition the petitioners seek quashing of FIR No. 471/2011 under Sections 452/323/506/34 IPC registered at PS Uttam Nagar, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned APP for the State on instructions from the Investigating Officers submits that initially five accused were arrayed however, one of the accused Gagan Sharma passed away on 10th January, 2013. Thus at present the four petitioners are facing trial in the above noted FIR and the respondent No.2 is the complainant and the respondent No.3 is the victim in

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the above noted FIR.

The Respondent Nos. 2 and 3 who is present in Court and are identified by the Investigating Officer state that they have settled the matter with the petitioners who have duly compensated them for the medical expenses and since the parties are living in the neighbourhood they do not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent Nos.2 and 3 and besides tendering unqualified apology assure that they will be no misbehaviour in future either with the respondents Nos. 2 and 3 or with anybody else. To show remorse they undertake to deposit a sum of ₹10,000/- 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. 471/2011 under Sections 452/323/506/34 IPC registered at PS Uttam Nagar, Delhi and proceedings pursuant thereto are hereby quashed, subject to the petitioners depositing a cost of ₹10,000/- each with the Bar Council of Delhi Advocates Welfare Fund within four 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.

OCTOBER 24, 2016/‘vn’