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

+ **CRL.M.C. 3237/2016**

ANSHUL KHURANA & ANR

..... Petitioners

Represented by: Mr. Shivam Batra and Mr.
Gopal Tiwari, Advocates with
petitioners in person.

versus

STATE (NCT OF DELHI) & ORS

..... Respondents

Represented by: Mr. Ashok K. Garg, APP for
the State with SI Bharat, PS
Burari.
Mr. Vikas Walia, Advocate for
respondent Nos. 2 and 3 with
respondent Nos. 2 and 3 in
person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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27.09.2016

Crl. M.A. No. 13843/2016(Exemption)

Allowed, subject to all just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 326/2013 under Sections 324/34 IPC registered at PS Burari, Delhi on the complaint of Respondent No.3 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 Officer submits that in the above noted FIR the two petitioners are the only

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accused and the respondent No.3 the complainant/victim and the respondent No.2 the other victim.

The Respondent Nos. 2 and 3 who are present in Court and are identified by the learned counsel and Investigating Officer state that they have settled the matter with the Petitioners as the petitioners have tendered their apology and 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 state that they have apologised to the respondent Nos. 2 and 3 and assure that they would not repeat such misbehaviour in future.

The allegations in the above noted FIR against the petitioners are that when the respondent Nos. 2 and 3 were driving down their vehicle at about 8.30 PM on 9th August, 2013 and reached Jivan Jyoti Ashram, Burari on the Pushta Road, two-three boys, standing near their bike on the roadside were drinking whiskey in the plastic glasses. When the vehicle of the complainant passed by, their glasses fell, due to which the petitioners got agitated and chased them. After chasing the complainant and the victim, they assaulted them. In the process, even the gold chain of the complainant was broken and the complainant could not find it out.

Since the parties have settled the matter of their own free will, volition and without any coercion and no useful purpose will be served in proceeding with the trial in the above noted FIR and there is no legal impediment in quashing the FIR in question.

Consequently, FIR No. 326/2013 under Sections 324/34 IPC registered at PS Burari, Delhi and proceedings pursuant thereto are hereby

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quashed, subject to the petitioners depositing a sum of ₹25,000/- each with the Juvenile Justice Fund maintained by the 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.

SEPTEMBER 27, 2016
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