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

+ CRL.M.C. 3713/2016 and Crl. M.A. No. 15536/2016 (Stay)

RAGHUBIR SINGH & ORS

..... Petitioners

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

versus

NCT OF DELHI & ANR

..... Respondents

Represented by: Mr. Amit Ahlawat, APP for the
State with SI Inder Pal.
Mr. J.G. Goswami, Advocate
for respondent No.2 with
respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

03.10.2016

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By the present petition the petitioners Raghubir Singh, Dhanvesh and Smt. Sushma @ Kasuma seek quashing of Complaint Case No.11529/1 now numbered as 85/1/12 under Sections 307/34 IPC and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Complaint case was filed by Parvesh Kumar, the respondent NO.2 against the four persons, that is, the three petitioners and a juvenile. Vide order dated 28th August, 2012 the three petitioners were summoned for offences punishable under Sections 307/34 IPC and the fourth person was held to be a juvenile. The learned Trial Court noted that as and when any complaint is filed by the respondent No.2 before the Juvenile Justice Board, the juvenile will appear before the Court.

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Learned counsel for the respondent No.2 submits that no separate complaint has been filed against the juvenile before the Juvenile Justice Board.

The Respondent No. 2/complainant who is present in Court and is identified by the learned counsel states that he has settled the matter with the Petitioners and in terms of the settlement he does not want to pursue the abovementioned complaint and the proceedings pursuant thereto.

Petitioner who is present in Court and is identified by the learned counsel affirms the statement of respondent No.2.

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 complaint and the proceedings pursuant thereto. There is no legal impediment in quashing the complaint case and the proceedings pursuant thereto in question.

Consequently, Complaint Case No.11529/1 now numbered as 85/1/12, order summoning the three petitioners and proceedings pursuant thereto are hereby quashed.

Parties 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 03, 2016/‘vn’

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