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

+ CRL.M.C. 3624/2016

RAHUL

..... Petitioner

Represented by: Mr. Manish Sherawat,
Advocate with petitioner in
person.

versus

THE STATE & ORS.

..... Respondents

Represented by: Mr. Amit Ahlawat, APP for the
State with SI Satish, PS
Dwarka.
Mr. Kanwar Udai Bhan Singh,
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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28.09.2016

Crl. M.A. No. 15282/2016 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 3624/2016

By the present petition the petitioner seeks quashing of FIR No. 728/2015 under Sections 323/308/34 IPC registered at PS Dwarka North, Delhi on the complaint of Respondent No.2 wherein besides the respondent No.2, the respondent No.3 was also an injured 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

CRL.M.C. 3624/2016

Page 1 of 3

Officer submits that in the above noted FIR besides the petitioner, the two other persons were involved of which one was a juvenile and qua the second accused Deepak Gahlot @ Sanju this Court has already quashed the FIR vide order dated 6th January, 2016 in Crl. M.C. No. 32/2016. He submits that besides the respondent Nos. 2 and 3 there is no complainant/victim in the abovenoted FIR.

The Respondent Nos. 2 and 3 who are present in Court and are identified by the learned counsel state that they have settled the matter with the Petitioner, who is living in their neighbourhood and they do not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

Petitioner who is present in Court and is identified by the learned counsel affirms the statement made by respondent Nos. 2 and 3 and assures that no such misbehaviour will take place in future.

The allegations in the above noted FIR against the petitioner besides the co-accused are of giving blows by weapon danda resulting in grievous injury to Kamil the respondent No.3.

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. 728/2015 under Sections 323/308/34 IPC registered at PS Dwarka North, Delhi and proceedings pursuant thereto are hereby quashed, subject to the petitioner depositing a sum of ₹10,000/- each with the Delhi High Court Staff Welfare Fund 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 28, 2016

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