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

+ CRL.M.C. 473/2017

SANCHU MANDAL & ANR Petitioners
Through Ms. Shilpa Dua, Adv.

versus

STATE (NCT OF DELHI) & ANR Respondents
Through Ms. Meenakshi Chauhan, APP with
SI Chandan Kumar, P.S. Okhla
Industrial Area for respondent no. 1
Respondent no. 2 in person

CORAM:
HON'BLE MR. JUSTICE A.K. PATHAK

ORDER
% **23.10.2017**

Respondent no. 2 has alleged in the FIR that petitioners quarrelled with him at Ahuja Petrol Pump at Okhla Industrial Area, Phase –I. He has also stated that petitioners beat him and during the quarrel, ₹36,000/- fell from his pocket, which they took away. During the investigation, allegations of snatching of money were not supported by the witnesses. Respondent no. 2 is present in Court and has been identified by SI Chandan Kumar of Police Station Okhla Industrial Area. Respondent no. 2 says that he has settled the matter with petitioners, vide a Compromise Deed dated 24th June, 2014, of his own free will, voluntarily and without any undue

force, pressure or coercion. A perusal of the order dated 24th June, 2014 passed by the Additional Sessions Judge – 01, South East District, Saket Courts, New Delhi also indicates that parties had stated before the said Court about the settlement reached between them. Respondent no. 2 submits that ₹36,000/- had fallen at the Petrol Pump, which were later on handed over to him by the staff of the petrol pump. Respondent no. 2 further submits that he is not willing to pursue the FIR against the petitioners, in view of the settlement and the same may be quashed.

Learned APP submits that respondent no. 2 had received simple injuries in the quarrel.

Keeping in mind the totality of facts and circumstances as detailed above, in the interest of justice, FIR No.429/2014 under Sections 308/34 IPC registered at police station Okhla Industrial Area and the consequent proceedings emanating therefrom are quashed.

Petition is disposed of in the above terms. Dasti.

A.K. PATHAK, J.

OCTOBER 23, 2017
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