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

+ **CRL.M.C. 898/2017**

RASHID & ORS

..... Petitioners

Represented by: Mr. Sitab Ali Chaudhary and
Mr. Anees Rana, Advocates.

versus

STATE (GNCT OF DELHI) & ANR

..... Respondents

Represented by: Ms. Meenakshi Chauhan, APP
for the State with SI Dhan
Singh, PS Kashmere Gate.
Mr. Gufran Ali, Advocate for
respondent No.2 with respondent
No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

% **06.03.2017**

Crl. M.A. No. 3773/2017 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 898/2017 and Crl. M.A. No. 3772/2017 (stay)

1. Issue notice.
2. Learned APP accepts notice on behalf of the State.
3. Notice is accepted by learned counsel for respondent No.2 who is present along with respondent No.2.
4. By this petition the petitioners seek quashing of FIR No.250/2016 under Sections 328/379/34 IPC registered at PS Kashmere Gate and the proceedings pursuant thereto on the ground that the parties have settled the matter.

CRL.M.C. 898/2017

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5. Though respondent No.2, who is present in Court, states that he has settled the matter because of the intervention of the relatives however, this Court finds that the allegations of the respondent No.2 in the above noted FIR are that while he was at Platform No.12, Kashmere Gate Bus Stand for taking a bus to Saharanpur on 12th May, 2016 after selling his articles and receiving ₹2.10 lakhs and was making inquiries, two persons tried to be friendly with him. After some time third person gave him some beverage to drink. The drink was something like fruity but its taste was different. The accused smoked cigarette and blew the smoke upon him whereafter he became unconscious. Later he found himself in a hospital. When the respondent No.2 did not reach him home, the family members made inquiries and from the newspaper came to know that the respondent No.2 was admitted in Muzaffar Nagar Hospital in an unconscious condition. Respondent No.2 was lodged in the hospital first at Muzaffar Nagar and thereafter at his native place for a long period of time.

6. Learned APP for the State submits that against all the five petitioners, there are other cases as well.

7. Considering the nature of allegations and the fact that the petitioners are involved in other cases as well even though the parties have entered into a settlement, this Court does not find it to be a fit case for quashing of the FIR on the basis of a compromise.

8. Petition and application are dismissed.

MUKTA GUPTA, J.

MARCH 06, 2017/‘vn’