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

+ **CRL.M.C. 1281/2017**

RAJ KUMAR & ORS

..... Petitioner

Represented by: Mr. Anil Kumar Sharma, Adv.

versus

STATE (GOVT OF NCT DELHI) & ORS

..... Respondent

Represented by: Mr. Ashok Kr. Garg, APP with
SI Ashok PS Jaitpur.
Mr. Sandeep Kumar, Adv. for
R-2 and 3.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

28.03.2017

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Crl.M.A. 5245/2017

For the reasons stated in the application 12 days delay in refiling is condoned.

Application is disposed of.

CRL.M.C. 1281/2017

By the present petition the petitioners seek quashing of FIR No. 759/2014 under Sections 307/34 IPC registered at PS Jaitpur, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

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Learned APP for the State on instructions from Investigating Officer submits that in the above-noted FIR the three petitioners are the only accused and respondent No.2 the complainant/ victim and respondent No.3 the other victim. He further states that during the quarrel both the parties were injured. Cross-cases were registered and on the complaint of the petitioners FIR No.792/2014 was registered under Section 308/34 IPC at PS Jaitpur. He further states that no final opinion on the injury of Pradeep Singh and Umesh Kumar could be given as they left the hospital against the medical advice.

Respondent No. 2 and 3 are present in Court and are identified by the learned counsel and the Investigating Officer. They state that they have settled the matter with the petitioners vide memorandum of understanding dated 2nd February, 2017 as the parties were known to each other for past several years. With the intervention of the common friends and well-wishers the matter has been settled and both parties have agreed not to proceed against each other. They state that they do not wish to pursue the above-noted FIR and the proceedings pursuant thereto against the petitioners.

Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2 and 3 and state that they will abide by the terms of settlement arrived at between the parties on 2nd February, 2017. To show remorse the petitioners are willing to deposit the cost.

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

Consequently, FIR No. 759/2014 under Sections 307/34 IPC registered at PS Jaitpur, Delhi and proceedings pursuant thereto are hereby quashed subject to the petitioners depositing a sum of ₹10,000/- each with the Bar Council of Delhi Advocate's Welfare Fund within four weeks. The receipt thereof will be placed on record.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

MARCH 28, 2017
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