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

+ W.P.(CRL) 692/2017 and CRL.M.A. 3760/2017

KOCHAN @ KULDEEP & ANR

..... Petitioners

Through: Mr. Aditya Singh & Ms. Supriya,
Advocates along with petitioners in
person.

versus

STATE & ANR

..... Respondents

Through: Ms. Kamna Vohra, ASC along with
SI Anuj Yadav, PS-Chhawla, for the
State.
Respondent No.2/ complainant in
person along with his son Devender.

CORAM:
HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER
06.03.2017

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Issue notice. Ms. Vohra accepts notice on behalf of the State.
Respondent No.2 is present in Court. He also accepts notice. He is
identified by the I.O.

Ms. Vohra points out that respondent No.2 is the complainant but his
son Devender is also an injured. Devender is also present in Court and he
also accepts notice. He is also identified by the I.O.

Both the complainant as well as Devender state that they have arrived

at a settlement with the petitioners. The Court has interacted with them. They state that a dispute arose between them and the petitioners, who are their neighbours, which led to the injuries suffered by them and now, they have settled their dispute mutually since they are neighbours. They state that neither of them has been subjected to any threat or coercion to arrive at the said settlement.

The petitioners are present in Court and they state that to express their regret and to atone for their conduct, they are ready & willing to be subjected to such costs as this Court may deem appropriate.

Considering the fact that the FIR has been registered and Section 308 IPC has subsequently been added, looking to the nature of the injuries suffered by the victim, initially I was not inclined to allow the present petition, however, since the petitioners have expressed their bona fide by agreeing to be subjected to costs and to pay damages, in my view, no useful purpose would be served in continuing with the present case any further, particularly when respondent No.2 as well as his son Devender, who is the other injured, have agreed to pardon the petitioners in view of the larger peace since they are neighbours.

Accordingly, the FIR in question and the proceedings arising therefrom are quashed subject to payment of costs of Rs.50,000/- each by the petitioners. Out of the said amount, the complainant and his son Devender shall be disbursed an amount of Rs.50,000/-, and the remaining amount of Rs.50,000/- shall be deposited in the Prime Minister's National Relief Fund within two weeks. The petitioners are also warned against resorting to such kind of violence either with the complainant or his son, or with any other person in the neighbourhood. The receipt of payment/

deposit of costs be provided to the I.O. concerned, only whereafter the FIR and the proceedings arising therefrom shall be quashed.

Dasti.

VIPIN SANGHI, J

MARCH 06, 2017

B.S. Rohella