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

+ CRL.M.C. 961/2017

NARESH KUMAR @ KALA & ORS

..... Petitioners

Represented by: Mr. Ashok Chhikara, Adv with
petitioner Nos. 1 to 3 in person.

versus

STATE (GNCT OF DELHI) & ANR

..... Respondent

Represented by: Mr. Ashok K. Garg, APP for
the State with SI Uday Singh,
PS Bawana.
Respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

21.04.2017

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By the present petition the petitioners seek quashing of FIR No. 102/2011 under Sections 326/323/341/427/34 IPC registered at PS Bawana, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned APP for the State on instructions submits that the inquiry qua the petitioner No.4 was conducted by the Juvenile Justice Board as he was a juvenile at the time of the alleged incident and the proceedings before the Board have concluded. He states that before the learned Trial Court the petitioner Nos. 1 to 3 are only facing trial and the respondent No.2 is the only complainant/victim.

Learned counsel for the petitioners has handed over an amended memo of parties deleting the name of the petitioner No.4 from the array of parties.

Respondent No.2 is present in Court and is identified by the Investigating Officer. He states that he has settled the matter with the petitioners in terms of the settlement deed dated 4th October, 2016, copy whereof is annexed as Annexure P-7 at pages 69 to 71 of the paper book. He states that in view of the settlement arrived at between the parties he does not wish to pursue the above noted FIR and the proceedings pursuant thereto.

Petitioner Nos. 1 to 3 who are present in Court and are identified by learned counsel affirm the statement of respondent No. 2 and undertake to abide by the terms of the settlement arrived at between the parties. In order to show remorse they undertake to deposit cost as well.

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, 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. 102/2011 under Sections 326/323/341/427/34 IPC registered at PS Bawana, Delhi and proceedings pursuant thereto are hereby quashed, subject to each of the petitioners depositing costs of ₹10,000/- each with the Delhi High Court Staff Welfare Fund within four weeks.

Parties have signed the order sheet in acknowledgment of their statements made before this Court. Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

APRIL 21, 2017/‘v mittal’