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

+ **CRL.M.C. 1199/2017**

NAFEES

..... Petitioner

Represented by: Mr. Vivek Sharma, Advocate
with petitioner in person.

versus

STATE & ORS.

..... Respondents

Represented by: Mr. Hirein Sharma, APP for
the State with SI Ombir Singh,
PS Welcome.
Respondent Nos.2 and 3 in
person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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23.03.2017

By the present petition the petitioner seeks quashing of FIR No. 147/2016 under Section 307 IPC registered at PS Welcome, 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 in the above noted FIR the petitioner is the only accused and the respondent No.2 the complainant and respondent No.3 the only victim and no other person is involved.

The Respondent Nos.2 and 3 are present in Court and are identified by the Investigating Officer. They state that the petitioner is their relative

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and due to the intervention of the family members, the matter has been settled between them vide Memorandum of Understanding dated 12th August, 2016. They further state that they do not wish to pursue the above noted FIR and the proceedings pursuant thereto.

Petitioner who is present in Court and is identified by learned counsel affirms the statement of respondent Nos. 2 and 3 and assures that no such misbehaviour will take place with anyone in future and to show remorse the petitioner agrees to deposit a cost as well.

As per the MLC the respondent No.3 received two incised wounds, one for 3 cm x 1 cm over the left shoulder region and second 3 cm x 0.5 cm over the occipital region of scalp. As per the notes of surgery department the nature of injury was opined to be grievous in nature however, there is no explanation as to whether it was a case of permanent disfiguration or dismembering or whether the respondent No. 3 suffered pain for a period of twenty days.

Considering the fact that the parties are related and do not wish to pursue the above noted FIR and the proceedings pursuant thereto and have settled the matter of their own free will, volition and without any coercion and having regard to the nature of injuries inflicting, this Court deems it fit to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

Consequently, FIR No. 147/2016 under Section 307 IPC registered at PS Welcome, Delhi and proceedings pursuant thereto are hereby quashed subject to the petitioner depositing a cost of ₹15,000/- with the Bar Council of Delhi Advocates' Welfare Fund within four weeks.

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 23, 2017

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