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

+ CRL.M.C. 2660/2016

MOHD. AZHAR

..... Petitioner

Represented by: Mr. Nipun Garud, Adv. with
petitioner.

versus

STATE & ANR

..... Respondent

Represented by: Mr. Ravi Nayak, APP with
Inspector Subhash Kumar and
ASI Jaiveer, PS Karawal
Nagar.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

20.02.2017

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By the present petition, the petitioner seeks quashing of FIR No.159/2016 under Sections 287/338 IPC registered at PS Karawal Nagar on the complaint of respondent No.2, who lost his limb while cleaning the machine in the factory of the petitioner, and the proceedings pursuant thereto as 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 respondent No.2 is the only complainant/victim.

When the matter came up before this Court on 24th November, 2016, respondent No.2 stated that he had already received a compensation of ₹4.5 lakhs however in case arrangement for an artificial limb is done, the same would facilitate him for throughout his life. The petitioner, who was present and relative of the respondent No.2 agreed to provide all necessary

help in this regard in consultation with the doctor.

Respondent No.2 who is present in Court and identified by the investigating officer submits that the petitioner besides giving him compensation of ₹4.5 lakhs has got him an artificial limb which he will get accustomed to whereafter he can use an improvised limb for which he has already been paid ₹1 lakh besides the compensation. He states that he does not wish to pursue the above noted FIR and the proceedings pursuant thereto. The petitioner who is present in Court and identified by learned counsel affirm the statement of respondent No.2.

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.159/2016 under Sections 287/338 IPC registered at PS Karawal Nagar, Delhi and proceedings pursuant thereto are hereby quashed.

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

The petition is disposed of. Order dasti.

MUKTA GUPTA, J.

FEBRUARY 20, 2017
‘v mittal’