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

+ **CRL.M.C. 2541/2016**

PAPPU GANGWAL & ORS

..... Petitioner

Represented by: Mr. Ajay Kumar, Adv.

versus

STATE N.C.T OF DELHI & ANR

..... Respondent

Represented by: Mr. Ashok Kr. Garg, APP with
SI Sudhir Rathi, PS Subhash
Place.
R-2 to 13 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

10.04.2017

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CrI.M.A. 5745/2017

By this application the petitioner seeks condonation of delay of 98 days in filing the amended memo of parties.

For the reasons stated in the application delay of 98 days in filing the amended memo of parties is condoned. However, the amended memo of parties filed is incorrect.

Learned counsel for the petitioner has handed-over a fresh amended memo of parties which is taken on record.

Application is disposed of.

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By the present petition the petitioners seek quashing of FIR No. 490/2013 under Sections 147/148/149/307/34 IPC registered at PS Subhash Place, 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 from Investigating Officer submits that in the above-noted FIR the seven petitioners are the only accused, respondent No.2 the complainant/ victim and respondent Nos. 3 to 13 the other victims. He further states that the injuries to Vikas/ respondent No.5 and Gyarsi Lal/ respondent No.13 were grievous in nature and qua the others either it was opined to be simple or no opinion was rendered as the victims did not report back to the hospital.

Respondent Nos. 2 to 13 are present in Court and are identified by the Investigating Officer. They state that the respondent No.2 on behalf of himself and on behalf of respondents No.3 to 13 has entered into a settlement with the petitioners. Copy of the compromise deed is at Annexure A at pages 33 to 35 of the paper book. In view of the settlement arrived at between the parties the respondents No.2 to 13 state that they do not wish to pursue the above-noted FIR and the proceedings pursuant thereto and will abide by the terms of settlement arrived at between the parties.

Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent Nos. 2 to 13 and state that they will abide by the terms of settlement arrived at vide compromise deed dated 14th July, 2016.

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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. 490/2013 under Sections 147/148/149/307/34 IPC registered at PS Subhash Place, Delhi and proceedings pursuant thereto are hereby quashed.

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

Petition is disposed of. Order dasti.

MUKTA GUPTA, J

APRIL 10, 2017

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