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

+ CRL.M.C. 2553/2016

MANVEER SINGH & ORS.

..... Petitioner

Represented by: Mr. Sudhir Kumar, Adv. with
petitioners.

versus

STATE & ORS.

..... Respondent

Represented by: Mr. Ram Nayak, APP with SI
Sudhir Rathi, PS Subhash
Place.
R-2 and 3 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

24.04.2017

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1. By the present petition the petitioners seek quashing of FIR No. 303/2000 under Sections 452/323/505/354/34 IPC registered at PS Saraswati Vihar now 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.

2. The allegations of respondent No.2 in the above noted FIR are that Manveer Singh along with other co-accused came to his house, threatened him and inflicted injury on the head of the complainant. When his brother Naveen Nagpal and father Ram Gopal Nagpal tried to intervene, they were slapped, beaten and threatened to vacate the house. This was all done at the instance of his uncle Om Prakash and Sita Ram. As per the complaint, even prior thereto, Manveer had misbehaved with complainant's wife. Thus, according to learned APP for the State, besides Amit Nagpal the

complainant/victim, the three other victims in the above noted FIR were his brother Naveen Nagpal, his father Ram Gopal Nagpal and complainant's wife. However, Ram Gopal Nagpal and wife of the complainant have since passed away and their legal heirs are already on record. He thus states that only surviving accused who have since been impleaded vide amended memo of parties filed on 7th November, 2016 are petitioners No.1 to 6 and respondent No.2 the complainant and respondent No.3 the other victim.

3. Respondent Nos. 2 and 3 i.e. Amit Nagpal and Naveen Nagpal are present in Court and identified by the investigating officer. They state that they have settled the matter with the petitioners vide settlement agreement dated 19th May, 2015 before the Delhi Mediation Centre, Rohini Courts and undertake to abide by the terms of the settlement. They do not wish to pursue the above noted FIR and the proceedings pursuant thereto. The petitioners who are present in Court and 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 before the Delhi Mediation Centre, Rohini Court on 19th May, 2015 and assures that such misbehaviour will not be repeated in future. To show remorse, the petitioners undertake to pay costs.

4. 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.

5. Consequently, FIR No. 303/2000 under Sections 452/323/505/354/34

IPC registered at PS Saraswati Vihar now PS Subhash Place, Delhi and proceedings pursuant thereto are hereby quashed, subject to each of the petitioners depositing costs of ₹5,000/- each with the Juvenile Justice Fund maintained by Registrar General of this Court within four weeks.

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

7. Petition is disposed of.

8. Order dasti.

MUKTA GUPTA, J.

APRIL 24, 2017
v mittal