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

+ **CRL.M.C. 1823/2017**

NARINDER KUMAR & ORS

..... Petitioners

Through: Mr. Gaurav Chauhan, Adv. with
petitioner in person.

versus

GOVT OF NCT OF DELHI

..... Respondent

Through: Ms. Meenakshi Chauhan, APP with
SI Sunil Kumar, P.S. Govind Puri.
Respondent nos. 2 and 3 in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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15.11.2017

FIR No. 231/2013 under Sections 323/186/332/353/34 IPC was registered at police station Govind Puri, on the complaint of respondent no.2. Respondent no.3-Dinesh Kumar had sustained injuries in the incident. As per the FIR, respondent nos. 2 and 3 along with other officials went to Maa Anand Mai Road for removal of encroachment. While they were performing their duties of confiscating the goods lying on the pavement, petitioners came out of their shop and came close to truck where seized material was lying and started removing the goods which was taken from the right side of the shop. They were asked not to do so when they gave beatings to the respondent nos.2 and 3. It is submitted that petitioners and

respondent nos. 2 and 3 have now settled their disputes amicably, therefore, FIR may be quashed.

Respondent nos. 2 and 3 are present in Court and have been identified by SI Sunil Kumar of police station Govind Puri. They submit that they have settled the matter with the petitioners of their own free will and without any undue force, pressure or coercion. They further submit that petitioners have apologised for their acts and they have pardoned them. Respondent nos.2 and 3 have filed their affidavits on record. In Surinder Bhardwaj vs. State 2014 (4) JCC 2406, FIR under Sections 186/332/354/34 IPC was permitted to be quashed. Similarly, vide order dated 16th July, 2015 passed in W.P. (Crl.) 600/2013 titled Utkarsh Tuteja & Anr. vs. State Govt. of NCT of Delhi, FIR No. 55/2013 under Sections 186/353/354/509/323/34 IPC was quashed in view of the compromise.

Keeping in view that incident took place in the heat of arguments and that petitioners and respondent nos. 2 and 3 have amicably settled their disputes, in the interest of justice, aforesaid FIR and the consequent proceedings emanating therefrom are quashed, subject to however costs of ₹20,000/- to be deposited by each of the petitioners with the Prime Minister's Relief Fund within two weeks. Receipt evidencing deposit of

costs be handed over to the Investigating Officer.

Petition is disposed of in the above terms. Miscellaneous application is disposed of as infructuous.

Dasti.

A.K. PATHAK, J.

NOVEMBER 15, 2017

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