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

+ **CRL.M.C. 3691/2016**

ANKIT JAIN & ORS

..... Petitioner

Represented by: Mr. Prakash Verma, Mr.
Umesh Chand Gupta, Advs.

versus

STATE (NCT OF DELHI) & ORS

..... Respondent

Represented by: Mr. Amit Ahlawat, APP with
SI Surender Pal Hudda, PS
Krishna Nagar.
R-2 to 4 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

09.03.2017

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By the present petition the petitioners Ankit Jain, Mr. Deepak Takkar, Tarun Jain and Anil Singhal seek quashing of FIR No. 66/2016 under Sections 452/323/341/506/34 IPC registered at PS Krishna Nagar, Delhi on the complaint of Respondent No.2/ Kapil Dev 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 after the injury of Kapil Dev was opined to be grievous in nature Section 325 was added to the investigation of the above-noted FIR. He further states that the four Petitioners are the accused and Kapil Dev, Sandeep Kumar Gupta and Dwarka Prasad Gupta are the complainant/victims in the above-noted FIR.

CRL.M.C. 3691/2016

page 1 of 3

Amended memo of parties erroneously impleads Kapil Dev, Pankaj Sharma, Himanshu Gupta and Dwarka Prasad Gupta as respondents. Learned counsel for the petitioner has handed-over a further amended memo of parties impleading Kapil Dev, Sandeep Kumar Gupta and Dwarka Prasad Gupta as respondent Nos. 2 to 4. Further amended memo of parties is taken on record.

The three injured victims/ respondents No.2 to 4 are present in Court and are identified by the investigating officer. They state that since the parties are living in neighbourhood and the petitioners have apologised and assure that no such misbehaviour will take place in future, they do not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

The Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent Nos.2 to 4 and tendering their unqualified apology assure that no such misbehaviour will take place with any one in future. To show remorse the petitioners also undertake to deposit cost.

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. 66/2016 under Sections 452/323/341/506/34 IPC registered at PS Krishna Nagar, Delhi and proceedings pursuant thereto are hereby quashed subject to the petitioners depositing a sum of ₹20,000/- each with the Bar Council of Delhi Advocates Welfare Fund within four weeks. Copy of the receipt will be placed on record.

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 09, 2017
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