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IN THE HIGH COURT OF DELHI AT NEW DELHI

CRL.M.C. 4137/2016

GAURAV GUPTA

..... Petitioner

Through: Mr. Chander M Maini, Advocate
Along with complainant, in person

Versus

STATE & ANR

..... Respondent

Through: Mr. Kamal Kumar Ghei, APP for State
Mr. K C Jain and Ms. Preetika
Aggarwal, Advocates for the Complainant.
Respondent no.2&3, in person.
SI Ramphool, PS Paschim Vihar

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

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28.03.2017

1. Present petition under Section 482 Cr. P.C. has been preferred by the petitioner for quashing of FIR No. 173/2009 registered under Section 324 IPC at Police Station Paschim Vihar. It is stated that the matter has been settled with the complainant/respondent no.2 and 3 amicably.

2. Respondent no.2 and 3 are present along with their counsel in the Court. They have been identified by the Investigating Officer.

3. I have inquired from the complainant/victims if they have settled the disputes with the petitioner without any fear or pressure. They have stated that all the disputes between the parties have been settled amicably before Delhi Mediation Centre, Tis Hazari Courts on 20.07.2016 (Annexure P-1, Page 23). They further state that terms and conditions of the settlement arrived at between the parties have since been acted upon.

4. The respondents/complainant have no objection to the quashing of the FIR.

5. The present petition is supported by the affidavits of the parties. The settlement dated 20.07.2016 containing terms and conditions arrived at before Delhi Mediation Centre, Tis Hazari is on record. It is submitted that the terms and

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conditions have been acted upon. The petitioner and the respondents are closely related being father and sons.

6. I have examined the trial Court record. It reveals that the statement of the complainant Mahinder Kumar Gupta has been completely recorded whereas statement of PW Varun Gupta has been partly recorded.

7. It is further submitted that the other FIR No. 52/2010 Police Station Mianwali Nagar has been also quashed today.

8. Taking into consideration all the facts and circumstances and considering the relationship between the complainant and the respondents, in the interest of justice and to enable them to maintain family relations, the FIR No. 173/2009 registered under Section 324 IPC at Police Station Paschim Vihar, and all other proceedings emanating from it are quashed.

9. The petitioner is burdened with costs of Rs. 50,000/- be paid in the Prime Minister's Relief Fund, within two weeks. Registry to ensure its compliance.

10. The petition stands disposed of accordingly.

S.P.GARG, J.

MARCH 28, 2017/P