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

+ CRL.M.C. 4129/2016

GAURAV GUPTA

..... Petitioner

Through: Mr. Chander M Maini, Advocate
Alongwith petitioner 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, in person.
ASI Satyabir Singh, PS Mianwali

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. 52/2010 registered under Section 324 IPC at Police Station Mianwali Nagar, Delhi. It is stated that the matter has been settled with the complainant/respondent no.2 amicably.

2. Respondent no.2 is present along with his counsel in the Court. He has been identified by the Investigating Officer.

3. I have inquired from the complainant if he has settled the disputes with the petitioner without any fear or pressure. He has stated that all the disputes between the parties have been settled amicably before

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Mediation Centre, Tis Hazari Courts on 20.07.2016 (Annexure P-1, Page 16). He further states that terms and conditions of the settlement arrived at between the parties have since been acted upon.

4. The respondent/complainant has 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 Mediation Centre, Tis Hazari is on record. It is submitted that the terms and conditions have been acted upon. The petitioner and the complainant are real brothers.

6. I have examined the trial Court record. It reveals that the statement of the PW-2 Mahinder Kumar Gupta has been partly recorded where statement of the complainant Varun Gupta has been completely recorded.

7. Taking into consideration all the facts and circumstances and considering the relationship between the complainant and the respondent, in the interest of justice and to enable them to maintain family relations, the FIR No. 52/2010 registered under Section 324 IPC at Police Station Mianwali Nagar, Delhi, and all other proceedings emanating from it are quashed.

8. 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.

9. The petition stands disposed of accordingly.

S.P.GARG, J.

MARCH 28, 2017/P

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