

\$~26

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

+ CRL.M.C. 4252/2016 & CrI.M.A. 17723/2016

JAGDISH @ JAGGU & ORS.

..... Petitioner

Represented by: Mr. Kartar Singh, Adv. with  
petitioners.

versus

STATE (GOVT. OF NCT OF DELHI) & ANR ..... Respondent

Represented by: Ms. Meenakshi Chauhan, APP  
with SI Harender Kumar, PS  
Timarpur.  
R-2 in person.

**CORAM:**

**HON'BLE MS. JUSTICE MUKTA GUPTA**

**ORDER**  
**30.01.2017**

%

1. By the present petition, the petitioners seek quashing of FIR No.393/2015 under Sections 307/34 IPC registered at PS Timar Pur on the complaint of respondent No.2 and the proceedings pursuant thereto as the parties have settled the matter.

2. Learned APP for the State submits that in the above noted FIR the five petitioners are the only accused and respondent No.2 the only complainant/victim. She further states that though in the FIR it is alleged that the petitioners gave one blow of Kulhadi(axe) on Sanny however during the course of investigation it was found that instead of axe, an iron rod was used in the incident. The injuries inflicted were two lacerated wounds on the head and an abrasion over right foot.

3. Respondent No.3 is present in Court and identified by the investigating officer. He states that he has settled the matter with the petitioners on 20<sup>th</sup> October, 2016 who are his neighbours and does 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 besides tendering their unqualified apology to respondent No.2 state that they would give no cause of grievance to respondent No.2 in future and to show remorse they would deposit a sum of ₹ 5000/- each.

4. A perusal of the MLC reveals that there is no injury by sharp weapon and the two injuries on the head were by blunt force of iron rod and the third was an abrasion over the right foot.

5. Considering the nature of injuries and the fact that the parties have settled the matter, no useful purpose will be served in continuing with the above noted FIR and the proceedings pursuant thereto, rather the same would be an abuse of process of Court. There is no legal impediment in quashing the above noted FIR.

6. Consequently, FIR No.393/2015 under Sections 307/34 IPC registered at PS Timar Pur, Delhi and proceedings pursuant thereto are hereby quashed, subject to the petitioners depositing a sum of ₹5000/- each with the Juvenile Justice Fund maintained by the Registrar General of this Court within four weeks. Receipts of payment of costs will be filed on Court record.

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

8. The petition and application are disposed of. Order dasti.

**MUKTA GUPTA, J.**

**JANUARY 30, 2017**  
**‘v mittal’**