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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 2724/2017
BIRENDER YADAV & ANR

..... Petitioners

Through: Mr.Vikram Parasar and Mr.Pradeep
Dabas, Advocates with the petitioner
No.1 in person.

versus

STATE (GNCT OF DELHI) & ANR

..... Respondents

Through: Mr.Hirein Sharma, APP for State with
SI Yogesh Kumar, P.S. Timarpur,
Delhi.
R-2/complainant in person.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% **19.07.2017**

CRL.M.A. Nos.11268-11269/2017 (Exemption)

Exemption granted, subject to all just exceptions.

Applications stand disposed of.

CRL.M.C. 2724/2017

This is a petition under Section 482 Cr.P.C. filed on behalf of the petitioners for quashing of FIR No.469/2008, under Section 323 IPC and section 23 of the Juvenile Justice Act, 2000, registered at Police Station Timarpur, Delhi and all subsequent proceedings arising therefrom.

Learned counsel for the petitioners has submitted that the petitioner No.1 Mr.Birender Yadav was the Principal and the petitioner No.2 Mr.Saji Mathai was the teacher of Mount Olivet Public School at the relevant point of time

and due to a misunderstanding arisen between the parties, the aforesaid FIR was got registered by the respondent No.2 against the petitioners. Counsel further submits that after the registration of the FIR, near relatives and common friends intervened and the matter in dispute has been amicably settled between the parties for smooth running of the school and the same has been reduced into writing vide settlement deed dated 02.06.2017 and nothing further remains to be adjudicated between the parties. Counsel further submits that since the matter has been amicably settled and nothing further remains to be adjudicated, however, the present FIR is coming as hurdle in the personal life of the petitioners and prays that the FIR and all subsequent proceedings arising of the same may be quashed.

The respondent No.2 Ms.Karishma is present in Court today along with her mother Smt. Shashi and has been identified by the IO SI Yogesh Kumar, P.S. Timarpur, Delhi. The respondent No.2 Ms.Karishma and her mother Smt.Shashi present in person admit the factum of amicable settlement with the petitioners vide settlement deed dated 02.06.2017 and submit that the said settlement is voluntary and without any force, pressure or coercion and nothing further remains to be adjudicated between them. She further submits that she has no objection if the FIR in question is quashed.

Looking into the aforesaid facts and circumstances, since the matter in dispute has been amicably settled between the parties vide settlement deed dated 02.06.2017 and nothing further remains to be adjudicated between the parties, to have peace in the life of both the parties, for smooth running of the school and to meet the ends of justice, I deem it appropriate to quash the FIR in question and all subsequent proceedings arising therefrom.

Consequently, FIR No.469/2008, under Section 323 IPC and section 23 of the Juvenile Justice Act, 2000, registered at Police Station Timarpur, Delhi and all subsequent proceedings arising therefrom are hereby quashed. Parties shall remain bound by the terms of the aforesaid settlement dated 02.06.2017.

The present petition is allowed and stands disposed of accordingly.

Copy of this order be given *dasti* to the parties, as prayed.

I.S.MEHTA, J

JULY 19, 2017

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