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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 4274/2017 CRL.M.A. 17167/2017
SHRI TARUN KUMAR Petitioner
Through G.K. Chouhan, Adv.

versus

THE STATE & ORS Respondent
Through Mr. Izhar Ahmad, APP for State with
SI Mukesh Kuma, PS Barakhamba
Road, Delhi

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER
% **23.10.2017**

CRL.M.A. 17167/2017

CRL.M.A. 17167/2017 is an application filed on behalf of the petitioner seeking exemption from filing certified copies of the annexures. The same is allowed, subject to just exceptions.

The application is disposed of.

CRL.M.C. 4274/2017

Vide the present petition, the petitioner seeks quashing of FIR no. 92/2017 dated 16.06.2017 under Section 381 of the Indian Penal Code, 1860, registered at PS Barakhamba Road, New Delhi submitting *interalia* to the effect that the settlement has been arrived at between the petitioner Sh. Tarun Kumar s/o Sh. Prem Singh and the respondent no. 3 Mr. Sanjay Sharma s/o Sh. J.P. Sharma vide Compromise Deed dated 16.08.2017 annexed as Annexure-D. Both, the petitioner and the respondent no. 3 are

present in person.

The respondent no. 3, who is the complainant of FIR no. 92/2017 dated 16.06.2017 under Section 381 of the Indian Penal Code, 1860, registered at PS Barakhamba Road, New Delhi, has submitted that he has signed the Compromise Deed Ex.CW1/A of his own accord without any duress and coercion from any quarter and has submitted that he does not oppose the prayer made by the petitioner seeking quashing of the said FIR.

The IO of the case SI Mukesh Kumar has identified both, the petitioner and the respondent no. 3.

In terms of the Section 320(2) of the Criminal Procedure Code, 1973, the offence punishable under Section 381 of the Indian Penal Code, 1860 is compoundable with the permission of the Court. Taking into account the factum that the petitioner and the respondent no. 3 i.e. the complainant of FIR no. 92/2017 dated 16.06.2017 under Section 381 of the Indian Penal Code, 1860, registered at PS Barakhamba Road, New Delhi have arrived at a compromise voluntarily between themselves, there is no impediment to the quashing of the FIR.

In the circumstances, FIR no. 92/2017 dated 16.06.2017 under Section 381 of the Indian Penal Code, 1860, registered at PS Barakhamba Road, New Delhi and the proceedings emanating therefrom are hereby quashed.

The petition is disposed of accordingly.

ANU MALHOTRA, J

OCTOBER 23, 2017/MK
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