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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 4397/2017

RAHUL & ORS

..... Petitioners

Through: Mr.Arjun Gadhoke, Advocate

versus

STATE (GOVT OF NCT OF DELHI) & ANR Respondents

Through: Mr.Kamla Kumar Ghei, APP for State
with SI Bangali Babu, PS Mayur
Vihar.

Mohd. Amir Abbas, father of the
respondent No.2 with respondent
No.2 in person.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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14.11.2017

Crl. M. A. 17618/2017 (Exemption)

Exemption allowed, subject to just exceptions.

Crl. M.C. 4397/2017

The respondent No.2 is present in person with his father and natural guardian Mohd. Amir Abbas.

The Investigating Officer of the case is present in Court and has identified the father of the complainant and also the complainant and also identifies the four petitioners and also Mohd. Faraz, the minor injured who is indicated to have sustained simple injuries which are however stated to have been caused by a sharp object as per the averments in the FIR and as per the MLC No.11009 dated 21.4.2015 of the LaL Bahadur Shastri Hospital, Khrichripur, Delhi, on record.

It has been submitted by the father/ the natural guardian of the injured that a settlement has been arrived at between the parties voluntarily and he does not seek to pursue any further proceedings against the said petitioners who are Rahul (22 years), Ashu (24 years) Ajay Kumar @ Suraj (25 years) and Himanshu @ Kalu (20 years) respectively as submitted in reply to a specific court query and there are no previous adverse antecedents against the petitioner.

In view of the settlement arrived at between the parties and the injuries sustained by the injured being simple, in the interest of justice, no useful purpose would be served in continuing the proceedings any further, especially in view of the settlement arrived at between the parties, the young age of the petitioners and the minor injured also, the proceedings in relation to the FIR No.70/15, under Sections 307/201/34 IPC, Police Station Mayur Vihar and all other proceedings emanating therefrom are quashed.

The petition is disposed of accordingly.

A copy of the order be given *dasti*, as prayed.

ANU MALHOTRA, J

NOVEMBER 14, 2017/sv

IN THE HIGH COURT OF DELHI: NEW DELHI

Item No. 7

Crl. M.C. 4397/2017

RAHUL & ORS Vs. STATE & ANR.

14.11.2017

**CW-1 Statement of SI BANGALI BABU, POLICE STATION MAYUR
VIHAR PHASE-1**

On S.A.

I identify Mohd. Amir Abbas, the father of the minor Mohd. Faraz who is the complainant of FIR No.70/2015, under Sections 307/201/34 IPC Police Station Mayur Vihar. I identify the minor Mohd. Faraz also. I also identify all the petitioners/ accused present in Court today in FIR No. 70/2015, under Sections 307/201/34 IPC Police Station Mayur Vihar.

RO & AC

14.11.2017

ANU MALHOTRA, J

IN THE HIGH COURT OF DELHI: NEW DELHI

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RAHUL & ORS Vs. STATE & ANR.

14.11.2017

CW-2 Statement of MOHD. AMIR ABBAS S/O SH. ISHTIYAQ AHMAD, AGED 55 YEARS, R/O H.NO.27/100, TRILOK PURI, DELHI

On S.A.

The compromise deed Ex.CW-2/A Annexure P-4 bears my signatures at point 'A'. My affidavit Ex.CW-2/B annexed thereto bears my signatures at points 'A' & 'B'. I have signed both the exhibits voluntarily of my own accord and without any coercion or pressure from any quarter.

I am not literate. The settlement has since been arrived at between the respondent No.2 Mohd. Faraz, a minor aged about 17 years born in the year 2002, represented by me and the petitioners, namely, Rahul, Ashu & Medi, Ajay Kumar @ Suraj and Himanshu @ Kalu, voluntarily without any duress. I do not seek any further proceedings against these four petitioners/accused present today in Court in relation to the FIR No.70/2015, under Sections 307/201/34 IPC Police Station Mayur Vihar.

RO & AC

14.11.2017

ANU MALHOTRA, J