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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 4959/2017 CRL.M.A. 19679/2017
SACHIN YADAV & ORS Petitioner

Through Mr. Santosh Kumar, Adv.

versus

THE STATE GOVT OF NCT OF DELHI & ANR..... Respondent

Through Mr. Izhar Ahmad, APP for State with
SI Dharmendra Pratap Singh, PS
Samaipur Badli.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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29.11.2017

CRL.M.A. 19679/2017

CRL.M.A. 19679/2017 is an application filed on behalf of the petitioner seeking exemption from filing certified copies. The same is allowed, subject to just exceptions.

The application is disposed of.

CRL.M.C. 4959/2017

IO of the case has recognized the petitioner no. 1 Sachin Yadav s/o Sh. Kashi Ram, petitioner no. 2 Sandeep Yadav s/o Sh. Balbir Singh, petitioner no. 3 Anil s/o Sh. Gaverdhan Lal, petitioner no. 4 Surender s/o Sh. Gordhan Lal and respondent no. 1 i.e. the complainant Vijay Yadav s/o Sh. Jawahar Singh and respondent no. 2 i.e. one of the injured Ajay Yadav s/o Sh. Jawahar Singh. Petitioners no. 1 to 4 and respondents no. 1 and 2 have produced their proof of identity, which are Ex.CW1/A to Ex.CW1/F.

Vide the present petition the petitioners seek quashing of the FIR No. 164/11, registered at PS Samaipur Badli, under Sections 323/324/341/34

Indian Penal Code, 1860 submitting to the effect that a settlement has been arrived at between the parties vide the Compromise Deed Ex.CW2/A vide which the complainant Mr. Vijay Yadav s/o Mr. Jawahar Singh and the injured Mr. Ajay Yadav s/o Mr. Jawahar Singh have stated that they have no opposition to the petition CRL.M.C. 4959/2017 filed by the petitioner no. 1 Sachin Yadav s.o Sh. Kashi Ram, petitioner no. 2 Sandeep Yadav s/o Sh. Balbir Singh, petitioner no. 3 Anil s/o Sh. Gaverdhan Lal, petitioner no. 4 Surender s/o Sh. Gordhan Lal seeking quashing of the FIR No. 164/11, registered at PS Samaipur Badli, under Sections 323/324/341/34 Indian Penal Code, 1860 in view of the settlement arrived at between them and that the complainant had signed the same voluntarily of his own accord without any duress or coercion from any quarter and that the petitioner no. 1 Sachin Yadav s/o Sh. Kashi Ram, petitioner no. 2 Sandeep Yadav s/o Sh. Balbir Singh, petitioner no. 3 Anil s/o Sh. Gaverdhan Lal, petitioner no. 4 Surender s/o Sh. Gordhan Lal, are his neighbours.

Learned APP for the State also in the circumstances of the case does not oppose the prayer made by the petitioner seeking quashing of the FIR No. 164/11, registered at PS Samaipur Badli, under Sections 323/324/341/34 Indian Penal Code, 1860.

Taking into account the statement made by the respondent no. 1 i.e. the complainant Vijay Yadav s/o Sh. Jawahar Singh and the respondent no. 2 i.e. one of the injured Ajay Yadav s/o Sh. Jawahar Singh that a settlement has been arrived at between the parties and as there is no reason to disbelieve that they have arrived at a settlement with the petitioners no. 1 to 4, voluntarily of their own accord without any duress or coercion from any

quarter and taking into account the factum that the respondents and the petitioners are neighbours as put forth by the complainant thus it is considered appropriate in the interest of justice that the prayer made by the petitioner seeking quashing of the FIR No. 164/11, registered at PS Samaipur Badli, under Sections 323/324/341/34 Indian Penal Code, 1860., 1860 and all consequential proceedings emanating therefrom is allowed, which is thus accordingly allowed, and the FIR No. 164/11, registered at PS Samaipur Badli, under Sections 323/324/341/34 Indian Penal Code, 1860. and all consequential proceedings emanating therefore are quashed.

The petition is disposed of.

ANU MALHOTRA, J

NOVEMBER 29, 2017/MK