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

+ **W.P.(CRL) 157/2018**

SUMIT KUMAR & ORS

..... Petitioners

Represented by: Mr.Manmohan Goel, Advocate
with petitioners in person.

versus

THE STATE GOVT OF NCT OF DELHI & ORS..... Respondents

Represented by: Mr. Rajesh Mahajan,
Additional Standing Counsel
for State, Ms. Jyoti Babbar,
Advocate with SI Prempal and
SI Bhagat Singh, PS Ashok
Vihar.
Ms. Suchi Sharma, Advocate
for respondent Nos. 2 to 5 with
respondent Nos.2 to 5 in
person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

16.05.2018

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Crl. M.A. No. 8901/2018 (impleadment of respondent Nos. 7 and 8)

Petitioner Nos. 7 and 8 are permitted to be impleaded as parties.

Amended memo of parties is taken on record.

Application is disposed of.

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By the present petition the petitioners seek quashing of FIR No.336/2016 under Sections 354/354B/323/341/506/509/34 IPC registered at PS Ashok Vihar, Delhi on the complaint of respondent No.2 and the

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proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR charge sheet has been filed and as per the charge sheet petitioner Nos. 1, 2, 4 to 8 have been kept in Column No. 11 whereas petitioner No. 3 has been kept in Column No.12 and no cognizance has been taken against petitioner No. 3 by the Court. He further states that in the above noted FIR the respondent No.2 is the complainant/injured victim and respondent Nos. 3 and 4 the other victims. He states that respondent No. 5 is only a witness and neither the complainant nor the victim in the above noted FIR.

Respondent Nos. 2, 3 and 4 are present in Court and are identified by the learned counsel and the Investigating Officer. They state that they have settled the matter with the petitioners vide Memorandum of Understanding dated 5th December, 2016. Further the parties have also settled the matter before the Delhi Mediation Centre, Rohini Courts on 6th December, 2016, copies whereof are annexed as Annexure-C and Annexure-D to the present petition. In terms of the settlement they do not wish to pursue the above-noted FIR and the proceedings pursuant thereto and will abide by the terms of settlement.

The petitioner Nos. 1, 2 and 4 to 8 who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2 and undertake to abide by the terms of the settlement arrived at between the parties.

In view of the fact that the parties have amicably resolved their differences of their own free will, volition and without any coercion and no useful purpose will be served in continuance of the proceedings, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

Consequently, FIR No.336/2016 under Sections 354/354B/323/341/506/509/34 IPC registered at PS Ashok Vihar, Delhi and proceedings pursuant thereto are hereby quashed.

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

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

MAY 16, 2018
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