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

+ **W.P.(CRL) 227/2018**

MUKESH KUMAR YADAV & ORS Petitioners

Represented by: Mr. D.K. Santoshi and Mr.
Rahul K. Singh, Advocates
with petitioners in person.

versus

STATE (GOVT OF NCT OF DELHI) & ANR Respondents

Represented by: Ms. Richa Kapoor, Additional
Standing Counsel for State with
SI Sanjay Kumar and ASI
Suphal Ram, PS Harsh Vihar.
Mr. V.S. Chauhan, Advocate
for respondent Nos.2 and 3 with
respondent Nos.2 and 3 in
person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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27.08.2018

Crl .M.A. No. 30381/2018 (delay in filing the amended memo of parties)

For the reasons stated in the application delay of 83 days in filing the amended memo of parties is condoned.

Application is disposed of taking the amended memo of parties on record.

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By the present petition the petitioners seek quashing of FIR No. 364/2016 under Sections 308/323/506/34 IPC registered at PS Harsh Vihar, Delhi on the complaint of respondent No.2 and the proceedings pursuant

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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 the three petitioners are the only accused and the respondent No. 2 the complainant/victim and the respondent No.3 the other victim. She states that though Section 308 IPC has been invoked however as per the MLC of respondent No. 2 Ravi @ Satya Prakash the injuries are simple in nature.

Respondent Nos. 2 and 3 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 Compromise Deed dated 7th July, 2017, copy whereof is annexed as Annexure-B 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 petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent Nos.2 and 3 and undertake to abide by the terms of the settlement.

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. 364/2016 under Sections 308/323/506/34 IPC registered at PS Harsh 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.

AUGUST 27, 2018

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