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

+ **W.P.(CRL) 642/2017**

ASHUTOSH SHUKLA & ORS

..... Petitioner

Represented by: Mr. Vikram Singh and Mr. Ayub
Khan, Advocates.

versus

STATE (GOVT OF NCT OF DELHI) & ORS Respondent

Represented by: Ms. Iti Pandey, Advocate for Ms.
Nandita Rao, ASC for the State with
SI Omparkash, PS Anand Parbat.
Mr. Yogendra Chaudhary, Advocate
for respondents.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

13.12.2018

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1. By this petition, the petitioners seek quashing of FIR No. 401/2016 under Sections 308/323/34 IPC registered at PS Anand Parbat on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

2. Learned proxy counsel for learned Additional Standing Counsel for the State on instructions submits that in the above noted FIR the four petitioners are the only accused and the respondent No.2 is the complainant/victim and respondent Nos. 3 and 4 the other victims. She further states that petitioner No. 4 was a minor at the time of alleged incident, however, now he is a major.

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3. Respondent Nos. 2 to 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 the compromise deed dated 16th January, 2017 copy whereof is annexed as Annexure P-4 to the present petition. Since the parties are living in neighbourhood they do not wish to pursue the abovementioned FIR and the proceedings pursuant thereto. They further undertake to abide by the terms of settlement arrived at between the parties.

4. Petitioners 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 settlement arrived at between. They assure that no such misbehaviour will take place in future. To show remorse they undertake to deposit cost.

5. 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, rather the same would create further acrimony between them, 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.

6. Consequently, FIR No. 401/2016 under Sections 308/323/34 IPC registered at PS Anand Parbat and proceedings pursuant thereto are hereby quashed subject to the consolidated cost of ₹10,000/- with the Delhi High Court Staff Welfare Fund within four weeks.

7. Parties have signed this order sheet in acknowledgment of their statements made before this Court.
8. Petition is disposed of.
9. Order dasti.

DECEMBER 13, 2018
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MUKTA GUPTA, J.