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

+ **W.P.(CRL) 1074/2018**

GOPI CHAND & ORS

..... Petitioner

Represented by: Mr. Manoj Nagar and Mr.
Simod Bansal, Advocates.

versus

STATE OF NCT OF DELHI & ORS

..... Respondent

Represented by: Ms. Purnima Malik, Proxy
counsel for Mr. Avi Singh,
ASC with SI Rajesh Kumar, PS
Mehrauli.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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12.04.2018

Crl.M.A. No. 6564/2018 (Exemption)

Allowed, subject to all just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 287/2002 under Sections 323/341/506/458/34 IPC registered at PS Mehrauli, Delhi and the proceedings pursuant to the extent of offences punishable under Sections 506 (II)/458/34 IPC as offences punishable under Sections 323/341/34 IPC have already been compounded vide order dated 15th December, 2017 by the learned Metropolitan Magistrate and the petitioners have been acquitted for the said offences.

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Learned proxy counsel for the 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 Nos.2 to 5 is the only complainant/ victim.

Respondent Nos. 2 to 5 are present in Court and is identified by the Investigating Officer states that they have settled the matter with the petitioners vide Memorandum of Understanding dated 15th December, 2017, copy whereof is annexed as Annexure-P-2 to the present petition. Pursuant to the settlement arrived at between the parties and on the statement of respondent Nos. 2 to 5, petitioners have already been acquitted for offences punishable under Sections 323/341/34 IPC. They further state that they do not want to pursue the abovementioned FIR and the proceedings pursuant thereto even qua the remaining offences that is 506/458/34 IPC. They further undertake to abide by the terms of settlement arrived at between the parties and assure that no quarrels will take place in both the parties in future.

Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent Nos.2 to 5 and undertake to abide by the terms of settlement arrived at between the parties. They also assure that no such quarrels would take place in future.

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

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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. 287/2002 under Sections 323/341/506/458/34 IPC registered at PS Mehrauli, 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.

APRIL 12, 2018
‘yo’