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

+ W.P.(CRL) 1106/2018

BALRAJ & ORS

..... Petitioners

Represented by: Mr. Pawan Sharma, Advocate
with petitioners in person.

versus

THE STATE & ANR

..... Respondents

Represented by: Mr. Rajesh Mahajan,
Additional Standing Counsel
for State with Ms .Jyoti
Babbar, Advocate with SI Amit
Kumar, PS Krishna Nagar.
Respondent Nos. 2 and 3 in
person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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28.08.2018

By the present petition, petitioners seek quashing of FIR No. 474/2013 under Sections 308/323/34 IPC registered at PS Krishna Nagar, Delhi on the complaint of respondent No.2 and the 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 the four petitioners are the only accused, respondent No. 2 the complainant/victim and the respondent No.3 the other victim.

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Respondent Nos. 2 and 3 are present in Court and are identified by the Investigating Officer. Respondent No.2 states that the petitioner Nos.1 and 2 are his brother and petitioner Nos. 3 and 4 are his nephews and the FIR in question got registered after there was dispute between the families on property distribution. Respondent Nos. 2 and 3 state that now all the issues have been resolved between the parties and the parties have amicably settled the matter before the Delhi Mediation Centre, Karkardooma Courts, copy whereof is annexed as Annexure-P3 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 undertake to abide by the terms of settlement.

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. Petitioners also assure that they will not indulge in such activities in future and to show remorse the petitioners undertakes to deposit some costs also.

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. 474/2013 under Sections 308/323/34 IPC registered at PS Krishna Nagar, Delhi and proceedings pursuant thereto are hereby quashed subject to each of the petitioners depositing cost of ***W.P.(CRL) 1106/2018***

₹10,000/- with the Chief Minister's Distress Relief Fund, Kerala within two weeks. Copy of the receipt will be placed on record within four weeks. .

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 28, 2018
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