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

+ **W.P.(CRL) 1380/2018**

UPENDRA SINGH & ORS

..... Petitioners

Represented by: Mr.Arvind Kumar Gupta and
Mr.Rahul Mangla and Mr.Prashant
Bhardwaj, Advocates

versus

STATE & ANR

..... Respondents

Represented by: Mr.Piyush Singhal, Advocate for
Mr.Ashish Aggarwal, ASC for the
State with SI Raju Yadav, PS Rani
Bagh
R-2 and R-3 in person

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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04.05.2018

CrI.M.A.No.8406/2018

Allowed subject to just exceptions.

W.P.(CrI.) No.1380/2018

1. By the present petition the petitioners seek quashing of FIR No.83/2018 under Sections 308/323/34 IPC registered at PS Rani Bagh 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 submits that in the above noted FIR the three petitioners are the

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accused and respondent No.2 is the complainant/victim and respondent No.3 is the other victim. He states that simple injuries were received by both respondent Nos.2 and 3.

3. Respondent Nos.2 and 3 who are present in Court and are identified by Investigating Officer states that they have settled the matter with the petitioners vide Memorandum of Understanding dated 12th April, 2018 annexed as Annexure-P-2 to the present petition. In terms of the settlement petitioner No.1 who was tenant of respondent No.2 at House No.98, First Floor, Anand Vihar, Pitampura and has handed over the peaceful vacant possession of the property to respondent No.2 and now respondent Nos.2 and 3 do not wish to pursue the abovementioned FIR and the proceedings pursuant thereto and respondent No.2 and 3 undertake to abide by the terms of settlement.

4. 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 settlement arrived at between the parties.

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, 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.83/2018 under Sections 323/308/34 IPC registered at PS Rani Bagh and proceedings pursuant thereto are hereby quashed.

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

8. Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

MAY 04, 2018

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