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

+ **W.P.(CRL) 1654/2018**

SOMU SISODIYA @ KALU & ORS

..... Petitioners

Represented by: Mr. V.D. Mishra, Advocate
with petitioners in person.

versus

THE STATE & ANR (NCT OF DELHI)

..... Respondent

Represented by: Mr. Sanjay Lao, Additional
Standing Counsel for State with
SI Ranbir, PS Swaroop Nagar.
Mr. Nagmani Roy, Advocate
for respondent Nos. 2 and 3
with petitioner Nos. 2 and 3 in
person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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24.05.2018

Crl. M.A. No.10245/2018 (Exemption)

Allowed, subject to all just exceptions.

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By the present petition, petitioners seek quashing of FIR No. 82/2018 under Sections 308/323/34 IPC registered at PS Swaroop Nagar, Delhi on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Issue notice.

Learned Additional Standing Counsel for State accepts notice.

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Learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR the five petitioners are the only accused, the respondent No. 2 the complainant/victim and respondent No. 3 the other victim.

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 Settlement Deed dated 7th April, 2018, copy whereof is annexed at pages 47-50 of the paper book. 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 arrived at between the parties vide Settlement Deed dated 7th April, 2018. Petitioners also assure that they will not indulge in any misbehaviour in future and to show remorse they undertake 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. 82/2018 under Sections 308/323/34 IPC registered at PS Swaroop Nagar, Delhi and proceedings pursuant thereto are hereby quashed subject to the petitioners depositing a cost of ₹10,000/- with
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the Delhi High Court Staff Welfare Fund within eight 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.

MAY 24, 2018
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