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

+ **W.P.(CRL) 1633/2018**

HARI CHAND & ORS

..... Petitioners

Represented by: Mr.Charan Jeet and Ms.Shashi Bala,
Advocates

versus

STATE OF NCT OF DELHI & ANR

..... Respondents

Represented by: Ms.Purnima Malik, Advocate for
Mr.Avi Singh, ASC for the State with
ASI Lekh Raj, PS Subzi Mandi
Mr.Ashwani Kumar Sood, Advocate
for R-2

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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24.05.2018

Crl.M.A.No.10130/2018

Allowed subject to just exceptions.

W.P.(Crl.) No.1633/2018

1. By this petition, the petitioners seek quashing of FIR No.81/2017 under Sections 323/341/354/354-A/34 registered at PS Subzi Mandi on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that parties have settled the matter.

2. Learned proxy counsel for the learned Additional Standing Counsel for the State on instructions submits that in the abovenoted FIR, besides respondent No.2, the complainant/victim, there are two other victims who

W.P.(CRL) 1633/2018

page 1 of 3

have not been impleaded as parties.

3. Learned counsel for the petitioners has handed over amended memo of parties impleading Om Prakash and Prempal the other victims as respondent Nos.3 and 4 respectively. Amended memo of parties is taken on record.

4. Respondent Nos.2, 3 and 4 who are present in Court and are identified by the learned counsel and the Investigating Officer state that they have settled the matter with the petitioners before the Delhi Mediation Centre, Tis Hazari Courts on 9th January, 2018, copy whereof is placed as Annexure-C to the present petition. In terms of the settlement, respondent Nos.2, 3 and 4 who are neighbours of the petitioners do not wish to pursue the abovenoted FIR and the proceeding pursuant thereto. They undertake to abide by the terms of settlement.

5. Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2, 3 and 4 undertake to abide by the terms of settlement. They also assure that no such misbehaviour will take place in future and to show remorse undertake to deposit costs.

6. 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.

7. Consequently, FIR No.81/2017 under Sections 323/341/354/354-A/34 registered at PS Subzi Mandi and proceedings pursuant thereto are hereby

W.P.(CRL) 1633/2018

page 2 of 3

quashed subject to the petitioners depositing cost of ₹5,000/- in total with the Delhi High Court Staff Welfare fund within eight weeks.

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

9. Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

MAY 24, 2018

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