

4# \$~

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

+ **W.P.(CRL) 1793/2018**

IRSHAD & ANR

..... Petitioner

Represented by: Mr. Arjun Gadhoke, Advocate
with petitioners in person.

versus

THE STATE & ANR

..... Respondents

Represented by: Mr. Jamal Akhtar, Advocate
for Rahul Mehra, Standing
Counsel for State with ASI
Anand Tyagi, PS Shakarpuri.
Mr. Raj Kumar, Advocate for
respondent Nos. 2 and 3 with
respondent Nos. 2 and 3 in
person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

%

18.07.2018

Crl.M.A. No.11107/2018 (Exemption)

Allowed, subject to all just exceptions.

W.P.(CRL) 1793/2018

By the present petition the petitioners seek quashing of FIR No. 829/2015 under Sections 323/308/34 IPC registered at PS Shakarpur, Delhi on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned proxy counsel for learned Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR

W.P.(CRL) 1793/2018

Page 1 of 3

the two petitioners are the only accused and the respondent No. 2 the complainant/victim and the 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 petitioner vide settlement dated 1st May, 2018, 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 will abide by the terms of settlement.

The petitioners who are present in Court and are identified by the learned counsel affirms the statement of respondent Nos.2 and 3 and undertake to abide by the terms of the settlement arrived at between the parties. Petitioners also assure that they will not indulge in any misbehaviour 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. 829/2015 under Sections 323/308/34 IPC registered at PS Shakarpur, Delhi and proceedings pursuant thereto are hereby quashed subject to each of the petitioner depositing a cost of ₹10,000/- with the Juvenile Justice Fund maintained by the Registrar General of this Court 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.

JULY 18, 2018

‘vn’