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

+ **W.P.(CRL) 2096/2018**

SH. PIYUSH PANDEY AND ANOTHER Petitioners
Represented by: Mr.Dharmendra Sharma, Advocate
for Mr.Vivek Gupta, Advocate

versus

STATE AND ANOTHER Respondents
Represented by: Ms.Nandita Rao, ASC for the State
with SI Davi Lal, PS Maurya Enclave

CORAM:
HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
18.09.2018

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1. By this petition, the petitioners seek quashing of FIR No.479/2016 under Sections 452/325/506/34 IPC registered at PS Maurya Enclave on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.
2. Learned Additional Standing Counsel for the State on instructions submits that in the above noted FIR the two petitioners are the only accused and the respondent No.2 is the complainant/victim besides whom respondent No.3 is also the victim. He further states that on the basis of opinion of the injury being grievous Section 323 IPC was converted to Section 325 IPC.
3. Respondent Nos.2 and 3 are present in Court and are identified by the Investigating Officer. They state that they have settled the matter with the petitioners vide Memorandum of Understanding dated 30th April, 2018 as

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the petitioners are their neighbours pursuant where to they do not wish to pursue the abovenoted FIR and the proceedings pursuant thereto. They 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. They assure that no such misbehaviour will place in future and to show remorse, they undertake to deposit cost.

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.479/2016 under Sections 452/325/506/34 IPC registered at PS Maurya Enclave and proceedings pursuant thereto are hereby quashed subject to each of the petitioner depositing a sum of ₹5,000/- with the Chief Minister's Distress Relief Fund, Kerala within two weeks, receipt whereof will be placed on record.

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.

SEPTEMBER 18, 2018

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