

\$~40

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

+ **W.P.(CRL) 1940/2018**

LALLU RAM

..... Petitioner

Represented by: **Mr.Parveen Tyagi, Advocate**

versus

THE STATE & ORS.

..... Respondents

Represented by: **Mr.Ranbir Singh Kundu, ASC for the
State with Mr.Bhagat Singh and
Ms.Suman Saharan, Advocates and SI
Prabhakaran and HC Ram Avtar, PS
Chhawla**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

%

06.07.2018

Crl.M.A.No.12018/2018

Allowed subject to just exceptions.

W.P.(Crl.) No.1940/2018

1. By this petition, petitioner seeks quashing of FIR No.184/2017 under Sections 288/338 IPC registered at PS Chhawla on the complaint of one Daharmbir where the respondent No.2 Vijay Pal is the injured on the ground that parties have settled the matter. Learned Additional Standing Counsel for the State submits that in the above noted FIR petitioner is the only accused and Dharambir who is the complainant though not injured but Vijay Pal, respondent No.2 is the injured. He further states that Dharambir has not

W.P.(CRL) 1940/2018

page 1 of 3

been impleaded as a respondent to the present petition. Faced with this situation, learned counsel for the petitioner has handed over amended memo of parties impleading Dharambir as respondent No.3 which is taken on record.

2. Respondent No.2 Vijay Pal is present in Court and is identified by the Investigating Officer. He states that he has settled the matter with the petitioner vide the settlement deed dated 19th August, 2017 copy whereof is annexed as Annexure-B to the present petition. In terms of the settlement, he has already received a cheque for a sum of ₹50,000/- which has since been encashed. Since the petitioner has sufficiently compensated him for his injury and the mental and physical agony caused and the petitioner lives in the same village, he does not wish to pursue the abovenoted FIR and the proceedings pursuant thereto. Dharambir respondent No.3 who is present in Court is also identified by the Investigating Officer has no objection to the quashing of the above noted FIR.

3. Petitioner who is present in Court and is identified by the learned counsel affirms the statement of respondents No.2 and 3.

4. 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.

5. Consequently, FIR No.184/2017 under Sections 288/338 IPC registered at PS Chhawla and proceedings pursuant thereto are hereby

quashed.

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

7. Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

JULY 06, 2018

mamta