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

+ **W.P.(CRL) 2159/2018**

AZHAR MASOOD KHAN @ AJHAR & ANR Petitioners
Represented by: **Mr. Vinay Kumar, Advocate**
with petitioners in person.

versus

THE STATE (GOVT OF NCT OF DELHI) & ANR..... Respondents
Represented by: **Mr. Rajesh Mahajan,**
Additional Standing Counsel
for State with ASI Khagnesh
Kumar, PS Seelampur.
Mr. Aneesh Ali Rana,
Advocate for respondent Nos.
2, 3 and 4 with petitioner Nos.
2, 3,4 in person.

CORAM:
HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
04.09.2018

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By the present petition the petitioners seek quashing of FIR No. 182/2018 under Sections 323/341/354/354A/354B/506/34 IPC registered at PS Seelampur, Delhi on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned Additional Standing Counsel for the State, on instructions from the Investigating Officer, states that in the above-noted FIR the petitioner is the only accused, respondent No. 2 the complainant/victim and the respondent Nos. 3 and 4 the other victims, who are the younger sister

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and brother of respondent No.2.

Respondent Nos. 2, 3 and 4 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 Memorandum of Understanding dated 12th July, 2018, copy whereof is annexed as Annexure –P2 to the present petition as the petitioners have apologised and assured that they will not misbehave in future. In terms of the settlement petitioners have agreed to pay a sum of ₹2.90 lakhs towards the monetary dispute between the parties, out of which ₹40,000/- has already been received by respondent Nos. 2, 3 and 4 and the balance amount of ₹2.50 lakhs has been received by them today in Court by way Demand Draft No.116466 dated 12th July, 2018 drawn on Bank of Maharashtra, Asaf Ali Road, New Delhi. 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.

Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2 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 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. 182/2018 under Sections 323/341/354/354A/354B/506/34 IPC registered at PS Seelampur, Delhi and proceedings pursuant thereto are hereby quashed subject to the petitioners depositing a total cost of ₹10,000/- with the Chief Minister's Distress Relief Fund, Kerala within two weeks. Copy of the receipt will be placed on record.

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

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

SEPTEMBER 04, 2018
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