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

+ **CRL.M.C. 3691/2018**

AKHIL JAIN

..... Petitioner

Through: Mr. Anil Dutt Sharma, Adv.

versus

THE STATE & ANR

..... Respondents

Through: Dr. M.P. Singh, APP with SI
Dhirendra Singh, P.S. Bawana.
Mr. Deepak Tomar and Mr. Rahul
Khangwal, Advs. for R-2 along with
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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07.08.2018

Notice. Learned APP accepts notice for respondent no.1. Respondent no.2 is present in Court along with his counsel, who accepts notice. He has been identified by SI Dhirendra Singh of police station Bawana.

Respondent no.2 submits that he has settled the matter with petitioner of his own free will and without any undue force, pressure or coercion vide MOU/Compromise Deed dated 3rd July, 2018. He further submits that petitioner has already paid ₹3 lacs to him toward the settled amount. On 27th July, 2018 petitioner has offered to pay another sum of ₹3 lacs to the respondent no.2 over and above the amount as mentioned in MOU. Today, petitioner has paid another ₹3 lacs to the respondent no.2 today in Court

vide a demand draft, photocopy whereof has been placed on record. Respondent no.2 further submits that he has no objection in case FIR No. 377/2017 under Sections 287/337 IPC registered at police station Bawana and the consequent proceedings are quashed.

Learned APP submits that during the investigation the offence under Section 337 IPC has been converted into Section 338 IPC.

Keeping in mind the settlement arrived at between the petitioner and respondent no.2 voluntarily, in my view, no fruitful purpose would be served in keeping the criminal proceedings pending. Accordingly, in the interest of justice, aforesaid FIR and the consequent proceedings emanating therefrom are quashed.

Petition is disposed of in the above terms.

Dasti.

A.K. PATHAK, J.

AUGUST 07, 2018

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