

\$~4

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

+ **W.P.(CRL) 2531/2018**

KRISHAN KUMAR & ORS

..... Petitioners

Represented by: Mr.Abhimanyu, Mr.Deepanshu and
Mr.Nitesh, Advocates

versus

STATE (NCT OF DELHI) & ANR

.... Respondents

Represented by: Mr.Sanjay Lao, ASC for the State
with SI Satender Kumar, PS
K.N.Katju Marg
Mr.Sushil Kumar Pandey, Advocate
for R-2 to R-5 and R-7

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
06.09.2018

%

1. By this petition, the petitioners seek quashing of FIR No.422/2016 under Section 308/323/34 IPC registered at PS K.N.Katju Marg 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 four petitioners are the accused and the respondent No.2 is the only complainant/victim besides respondent Nos.3 to 7 are the other victims.

3. Respondent Nos.2 to 5 and 7 are present in Court and are identified by the learned counsel and the Investigating Officer. Respondent No.6 Mange

W.P.(CRL) 2531/2018

page 1 of 3

Ram, father of respondent Nos.2 and 3 is confined to bed having suffered from paralysis. Medical certificate of Mange Ram has been placed on record at page 30 of the documents filed on 5th September, 2018. An affidavit in support of the petition stating that a settlement has been arrived at between Mange Ram and the petitioners has also been placed on record. Thus Mange Ram is exempted from appearing before this Court. Respondent Nos.2 to 5 and 7 state that they have settled the matter with the petitioners who are their neighbours vide compromise deed dated 20th December, 2016 filed by the parties in W.P.(Crl.) No.2531/2018 copy whereof has been placed on record from pages 42 to 44 of the paper book and they do not wish to pursue the abovementioned FIR and the proceedings pursuant thereto. They further state that a cross-case was also registered and the quarrel started on the issue of parking and both the parties will ensure that no such issue arises in future as they are residing in the neighbourhood.

4. Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent Nos.2 to 5 and 7. They assure that no such misbehaviour will take place in future and to show remorse 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.422/2016 under Section 308/323/34 IPC registered at PS K.N.Katju Marg and proceedings pursuant thereto are hereby quashed subject to each petitioner depositing ₹5,000/- with the Chief Minister's Distress Relief Fund, Kerala within two weeks and receipt thereof 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 06, 2018

mamta