

7# \$~

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

+ **W.P.(CRL) 1700/2018**

RAJESH @ RANA & ORS

..... Petitioners

Represented by: Mr. Vinay K. Sharma,
Advocate with petitioners in
person.

versus

STATE (NCT OF DELHI) & ORS

..... Respondents

Represented by: Mr. Sanjay Lao, Additional
Standing Counsel for State with
SI Sandeep Kumar, PS Palam
Village.
Respondent Nos.2 and 3 in
person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

%

09.07.2018

Crl. M.A. No. 10528/2018 (Exemption)

Allowed, subject to all just exceptions.

Crl. M.A. No.10529/2018 (delay in refiling)

For the reasons stated in the application delay of 372 days in refiling the petition is condoned.

Application is disposed of.

W.P.(CRL) 1700/2018

By the present petition the petitioners seek quashing of FIR No. 400/2013 under Sections 323/341/308/34 IPC registered at PS Palam Village, Delhi on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

W.P.(CRL) 1700/2018

Page 1 of 3

Learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR the four petitioners are the only accused and the respondent No. 2 the complainant/victim besides there was one more victim Vinod Kumar who has not been impleaded as a party.

Faced with this situation, learned counsel for the petitioners has handed over an amended memo of parties impleading Vinod Kumar as respondent No.3 to the present petition.

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 Settlement Deed dated 21st October, 2016, copy whereof is annexed as Annexure-B to the present petition. In terms of the settlement they do not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

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 the settlement arrived at between the parties vide Settlement Deed dated 21st October, 2016 and 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. 400/2013 under Sections 323/341/308/34 IPC registered at PS Palam Village, Delhi and proceedings pursuant thereto are hereby quashed subject to the each of the petitioner depositing a cost of ₹15,000/- with the Bar Council of Delhi Advocates' Welfare Fund within four weeks.

Parties have signed this order sheet in acknowledgment of their statements made before this Court. Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

JULY 09, 2018
'vn'