

\$~37

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

+ CRL.M.C. 4605/2018, CRL MA 31836/2018

SITARAM

..... Petitioner

Through Mr. Anshuman Upadhyay, Adv

versus

STATE (NCT OF DELHI) & ANR

..... Respondent

Through Mr. Izhar Ahmad, APP
ASI Rajvir, PS Amar Colony

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **12.09.2018**

Notice. Learned APP accepts notice for respondent no.1. Respondent no.2 is present in Court along with his mother Smt. Madhu, who accepts notice. He has been identified by ASI Rajvir of police station Amar Colony. Respondent no.2 submits that he has settled the matter with petitioner no.1 of her own free will and without any undue force, pressure or coercion during hearing of MAC-APP 1090/2017, titled as "IFFCO TOKIO General Insurance Co. Ltd. vs. Jatin Kumar & Ors."

A perusal of order dated 11th May, 2018 passed by learned Single Judge of this Court in the aforesaid appeal makes it clear that respondent no.2 had stated in the Court that he has no objection in quashing of the FIR. Appeal has already been disposed of vide order dated 11th May, 2018. A perusal of order dated 23rd July, 2018 passed in the aforesaid appeal further show that appeal is listed for 14th

September, 2018 for disbursal of amount to respondent no.2.

Respondent no.2 was minor at the time of disposal of the aforesaid appeal. Smt. Madhu, mother of respondent no.2 says that he has attained majority on 21st June, 2018. Respondent no.2 says that he has no objection in case FIR 49/2017 under sections 279/337 IPC registered at police station Amar Colony is quashed.

Keeping in mind the settlement arrived at between the petitioner and respondent no. 2 voluntarily, in my view, no fruitful purpose would be served to keep 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. Miscellaneous application is disposed of as infructuous. *Dasti.*

A.K. PATHAK, J

SEPTEMBER 12, 2018

sm