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

+ W.P.(CRL) 1937/2017

SHAHNAWAZ @ SHALU & ANR ... Petitioners

Represented by: Mr.Mohd. Shariq, Advocate

versus

STATE NCT OF DELHI & ANR ... Respondents

Represented by: Mr.Prem Sagar Pal, Advocate
for Mr.R.S.Kundu, ASC
ASI Chatar Pal Singh, PS
Jafrabad

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

18.01.2018

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By the present petition the petitioners seek quashing of FIR No.203/2017 under Sections 308/34 IPC registered at PS Jafrabad, North East Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned proxy counsel for Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR besides the two petitioners, there were four accused. However, till date they have not been identified. Thus, there is no material with the State in respect of four other accused as the respondent No.2/complainant is also not cooperating. Learned proxy counsel for the Additional Standing Counsel further submits that thus, in the present FIR, two petitioners are the only accused and respondent No.2 the only complainant/victim.

Respondent No.2 is present in Court and is identified by the Investigating Officer. He states that he has settled the matter with the petitioners who are his neighbours and 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 No.2 and undertake that there will be no complaint of misbehaviour in future. To show remorse they undertake to deposit a sum of ₹5,000/- each with the Delhi High Court Staff Welfare Fund within four weeks.

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, rather the same would create further acrimony between them, 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.203/2017 under Sections 308/34 IPC registered at PS Jafrabad, North East Delhi and proceedings pursuant thereto are hereby quashed subject to the petitioners abiding by his undertaking of depositing a sum of ₹5,000/- each with the Delhi High Court Staff 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.

JANUARY 18, 2018
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MUKTA GUPTA, J.