

\$~12

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 2870/2017**
BARUN KUMAR BISWAS Petitioner
Through: Mr. Mukesh Birla and Mr. Imran
Khan, Advs.
versus

STATE (GOVT OF NCT DELHI) & ANR Respondents
Through: Ms. Meenakshi Dahiya, APP with SI
Ashok Kumar, P.S. H.N. Din.

CORAM:
HON'BLE MR. JUSTICE A.K. PATHAK

ORDER
% **19.01.2018**

Respondent no.2 alleged in the FIR that he was going to Kotla Mubarakpur in his car along with his brother and niece. At Barapullah elevated road a Travera car, driven by the petitioner, came from the behind and blew horn. He could not give side to the Travera on account of heavy traffic. After some time, petitioner overtook his car and stopped him. Petitioner broke the glass of the window of the car of the respondent no.2 by a *danda*. His niece sustained injuries in her eyes. Respondent no.2 is present in Court and has been identified by SI Ashok Tomar. He says that he has settled the matter with the petitioner vide Memorandum of Understanding dated 13th July, 2017 of his own free will and without any undue force, pressure or coercion. He further submits that he has already

received entire settled amount of ₹45,000/- towards the treatment of his niece. He also submits that his niece has been fully cured and has not sustained any disability. He has no objection in case the FIR is quashed.

Keeping in view the settlement arrived at between the petitioner and respondent no.2 and that petitioner has compensated the respondent no.2 towards the treatment of his niece, in the interest of justice, FIR No. 267/2013 under Sections 326/341/506/427 IPC registered at police station Hazarat Nizamuddin and the consequent proceedings emanating therefrom are quashed.

Petition is disposed of in the above terms.

Dasti.

A.K. PATHAK, J.

JANUARY 19, 2018

ga