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

+ **W.P.(CRL) 2935/2018**

SIDDHANT KOHLI

..... Petitioner

Represented by: **Mr. Pratap Singh Parmar, Adv.**

versus

STATE & ANR.

..... Respondent

Represented by: **Ms. Kamna Vohra, ASC with SI
Sachin PS Hauz Khas.**

R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

14.12.2018

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By the present petition the petitioner seeks quashing of FIR No. 208/2018 under Sections 279/337 IPC registered at PS Hauz Khas, Delhi wherein Section 338 IPC has been added later on as the injury has been opined to be grievous in nature.

Learned Additional Standing Counsel for the State submits that in the above-noted FIR the petitioner is the only accused and respondent No.2 the only complainant/ victim. She further clarifies that in the rukka the name of the complainant/victim has been noted as Jitu S/o Dhuma instead of Kasinath Samal S/o Dhumasen Samal. She has verified the identity of the complainant/ respondent No.2 and states that Jitu S/o Dhuma is Kasinath Samal S/o Dhumasen Samal.

Respondent No. 2 is present in Court and is identified by the
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Investigating Officer. He states that he has settled the matter with the petitioner vide MOU dated 8th September, 2018 copy whereof is annexed as Annexure P-2 to the present petition. In terms of the settlement the petitioner has paid him a sum of ₹60,000/- for his medical treatment and has agreed to pay a balance amount of ₹80,000/- which has been received by him today in Court vide a demand draft No. '849737' drawn on Kotak Mahindra Bank for a sum of ₹80,000/- in the name of one Pushpalata Samal who is the wife of the respondent No.2. He further states that he does not wish to pursue the abovementioned FIR and the proceedings pursuant thereto.

Petitioner who is present in Court and is identified by the learned counsel affirms the statement of respondent No.2 and undertakes to abide by the terms of settlement arrived at between the parties. He further assures that no such misbehaviour will take place in future and to show remorse undertake to deposit some cost.

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. 208/2018 under Sections 279/337 IPC registered at PS Hauz Khas, Delhi and proceedings pursuant thereto are hereby quashed subject to the petitioner depositing a sum of ₹10,000/- with
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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.

MUKTA GUPTA, J.

DECEMBER 14, 2018
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