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

+ **W.P.(CRL) 3275/2018**

AMAN KUMAR & ORS

..... Petitioners

Represented by: Mr. Ashok Ahlawat and Mr. Gaurav
Ahlawat, Advocates.

versus

THE STATE (NCT OF DELHI) & ORS

..... Respondents

Represented by: Ms. Nandita Rao, ASC with SI
Naresh Kumar, PS Chhawla.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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26.10.2018

CrI.M.A. No. 34935/2018 (Exemption)

Allowed, subject to all just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 370/2018 under Sections 452/354/323/34 IPC registered at PS Chhawla, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned Additional Standing Counsel for the State on instructions submits that the in the above noted FIR the four petitioners are the only accused and the respondent No.2 is the complainant/ victim and respondent No. 3 the other victim.

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Respondent Nos. 2 and 3 who are present in Court and are identified by the Investigating Officer state that they have settled the matter with the petitioners vide the Memorandum of Understanding dated 3rd October, 2018, copy whereof is annexed as Annexure-A3 of the paper book. In terms of the settlement they do not want to pursue the abovementioned FIR and the proceedings pursuant thereto as they are living in the neighbourhood. They also undertake to abide by the terms of settlement arrived at between the parties vide the Memorandum of Understanding dated 3rd October, 2018.

Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent Nos.2 and 3. They further undertake to abide by the terms of settlement arrived at between the parties and assure that no such misbehaviour will take place in future. To show remorse they undertake to deposit 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. 370/2018 under Sections 452/354/323/34 IPC registered at PS Chhawla, Delhi and proceedings pursuant thereto are hereby quashed subject to each of the petitioner depositing a cost of ₹5,000/- with the Chief Minister's Distress Relief Fund, Kerala within four weeks. Receipt thereof will be placed on record.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

OCTOBER 26, 2018
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