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

+ W.P.(CRL) 2611/2017

PRADEEP & ORS

..... Petitioners

Represented by: Mr. S.K. Mahla, Advocate with
petitioners in person.

versus

THE STATE & ORS

..... Respondents

Represented by: Mr. Avi Singh, Additional
Standing Counsel for State, Mr.
Shashank Vachher, Advocate
with SI Ashok Kumar, PS Patel
Nagar.
Mr. Parmesh Kumar and Mr.
Ashok Sharma, Advocates for
respondent Nos.2 and 3 with
respondent Nos. 2 and 3 in
person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

03.05.2018

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Amended memo of parties has been filed.

No steps for service of respondent No. 3 have been taken however,
learned counsel for respondent Nos. 2 and 3 enters appearance.

By the present petition the petitioners seek quashing of FIR
No.22/2017 under Sections 323/341/506/34 IPC registered at PS Patel
Nagar, Delhi on the complaint of respondent No.2 and the proceedings
pursuant thereto on the ground that the parties have settled the matter.

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Learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR the petitioners are the only accused and the respondent No.2 the complainant/victim and respondent No. 3 the other victim. He further states that Section 325 IPC was added to the investigation after the injury to respondent No.2 Kamal was found to be grievous in nature as there was a fracture in the nose.

Respondent Nos. 2 and 3 are present in Court and are identified by the learned counsel and the Investigating Officer. They state that they have settled the matter with the petitioners vide Memorandum of Understanding dated 12th May, 2017 as both the parties are neighbours and petitioners have assured that they will not misbehave in future. In terms of the settlement they do not wish to pursue the above-noted FIR and the proceedings pursuant thereto and undertake to abide by the terms of settlement.

Petitioners who are present in Court and are identified by the learned counsel affirm the statements of respondent Nos.2 and 3 and undertake to abide by the terms of the settlement arrived at between the parties vide Memorandum of Understanding dated 12th May, 2017, copy whereof is annexed at pages 30-32 of the paper-book and assure that no misbehaviour will take place in future and to show remorse the petitioners undertake to deposit some costs also.

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, it would be in the interest of justice to quash the abovementioned FIR and the

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proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

Consequently, FIR No.22/2017 under Sections 323/341/506/34 IPC registered at PS Patel Nagar, Delhi and proceedings pursuant thereto are hereby quashed subject to the petitioners depositing a cost of ₹5,000/- each with the Delhi High Court Staff Welfare Fund within four weeks. Copy of the receipt of deposit will be placed on record by the petitioners within two weeks thereafter.

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

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

MAY 03, 2018
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