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

+ **CRL.M.C. 3641/2017**

MOHD. SHAKEEL & ORS.

... Appellants

Represented by: Mr.Prakash Priyadarshi,
Advocate

versus

STATE (GOVT OF NCT OF DELHI)& ORS. ... Respondents

Represented by: Mr.Ashok Kumar Garg, APP
for the State with SI Jitender,
PS Welcome

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

23.01.2018

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Crl.M.A.No.14819/2017 (exemption)

Allowed subject to all just exceptions.

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By the present petition the petitioners seek quashing of FIR No.235/2012 under Sections 308/323/34 IPC registered at PS Welcome on the complaint of Respondent No.5 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned APP for the State on instructions from Investigating Officer submits that in the above-noted FIR there were four accused who were arrayed of which Zahid has since passed away and thus, now there are only three accused, who have been impleaded as the petitioners, respondent No.5 the complainant/victim and respondents No.2 to 4 the other victims.

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Respondent No. 2 to 5, who are present in Court and are identified by the Investigating Officer state that they have settled the matter with the petitioners vide compromise deed dated 18th July, 2017 copy whereof is annexed with the present petition as Annexure-4. They state that in view of the settlement arrived at between the parties, they do not wish to pursue the above-noted FIR and the proceedings pursuant thereto. They further state that they will abide by the terms and condition of the compromise deed dated 18th July, 2017.

Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondents No.2 to 5. To show remorse, both the parties undertake to deposit costs.

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.235/2012 under Sections 308/323/34 IPC registered at PS Welcome and proceedings pursuant thereto are hereby quashed subject to both the parties abiding by their undertaking of depositing a total sum of ₹15,000/- with the Juvenile Justice Fund, maintained by Registrar General of Delhi High Court, 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 23, 2018/rk
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MUKTA GUPTA, J.
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