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

+ **W.P.(CRL) 2608/2017**

MINI NARULA & ORS

..... Petitioners

Represented by: Ms. Parul Rohtagi, Advocate
with petitioner Nos. 1 to 3 in
person.

versus

STATE OF DELHI & ORS

..... Respondents

Represented by: Mr. Siddharth Sindhu,
Advocate for Mr. Sanjay Lao,
Additional Standing Counsel
for State with W/SI Priyanka,
PS Mukherjee Nagar.
Mr. Ishwar Singh, Advocate for
respondent Nos. 2 to 5 with
respondent Nos. 2 to 5 in
person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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27.02.2018

Crl. M.A. No. 14936/2017 (Exemption)

Allowed, subject to all just exceptions.

W.P.(CRL) 2608/2017

By the present petition the petitioners seek quashing of FIR No. 315/2016 under Sections 341/323/354/308/506/34 IPC registered at PS Mukherjee Nagar, Delhi on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

W.P.(CRL) 2608/2017

Page 1 of 3

Learned proxy counsel for learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR the four petitioners are the only accused and the respondent No. 2 the only complainant/victim and the respondent Nos. 3 to 5 the other three victims. He states that no other person is involved in the present FIR.

Respondent Nos. 2, 3, 4 and 5 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 compromise deed notarised on 4th September, 2017, copy whereof is annexed as Annexure –B to the present petition. In terms of the settlement they do not wish to pursue the above-noted FIR and the proceedings pursuant thereto and they will abide by the terms of the settlement.

The petitioner Nos. 1, 2 and 3 are present in Court and are identified by the learned counsel. They affirm the statement of respondent Nos.2 to 5 and undertake to abide by the terms of the compromise deed. Petitioner No. 4 is an 82 years old person residing in Ahmednagar, Maharashtra and not in a position to travel. He has executed a Special Power of Attorney in favour of Shri Gurcharan Bajaj, who is present in Court and is identified by the learned counsel. Copy of the Special Power of Attorney executed by petitioner No. 4 in favour of Shri Gurcharan Bajaj is taken on record. Gurcharan Bajaj on behalf of petitioner No. 4 undertakes to abide by the terms of the settlement arrived at between the parties. Petitioner Nos.1, 2 and 3 and the Special Power of Attorney also state that to show remorse they 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 proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

Consequently, FIR No. 315/2016 under Sections 341/323/354/308/506/34 IPC registered at PS Mukherjee Nagar, Delhi and proceedings pursuant thereto are hereby quashed subject to the petitioner depositing a cost of ₹5,000/- each with 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.

FEBRUARY 27, 2018
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