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

+ **CRL.M.C. 5923/2018**

MOHD. ASIF & ORS.

.... Petitioners

Through: Mr. Pavitra Veer Singh,
Advocate

versus

STATE & ORS.

.... Respondents

Through: Mr. Ashish Dutta, APP

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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26.11.2018

CRL.M.A.47952 /2018

Allowed, subject to all just exceptions. The application is disposed of.

CRL.M.C. 5923/2018

1. The petitioners have moved the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.0081/2017, under Sections 308/323/341/34 of the Indian Penal Code, 1860, registered at PS:Gandhi Nagar, Delhi and the proceedings emanating therefrom.

2. The petitioners as well as respondent Nos.2, 3 and 4 submitted that they are related to each other and due to some misunderstanding, disputes arose between them. The petitioners as well as respondent Nos.2, 3 and 4 further submitted that

they have settled the matter vide Settlement/Compromise Deed dated 10.9.2018. They further submitted that they now want to live peacefully and happily and undertake that they shall not fight with each other and may be given an opportunity to live a stigma free life.

3. The Investigating Officer ('IO'), who is present in Court, has identified the petitioners as well as respondent Nos.2, 3 and 4 and the IO has verified about the Settlement/Compromise and also verified that the petitioners and respondent Nos.2, 3 and 4 are related to each other. The IO has stated that the petitioners and respondent Nos.2, 3 and 4 do not have any criminal antecedents.

4. Respondent Nos.2, 3 and 4 submitted that the matter has been settled on their own free will, without any force, pressure or coercion and they have no objection to the petition being allowed and the quashing of the FIR.

5. In view of the aforesaid circumstances and the settlement arrived at between the parties, this Court is of the view that no fruitful purpose would be served in keeping the parties entangled in the criminal proceedings. Accordingly, in the interest of justice, FIR No. 0081/2017, under Sections 308/323/341/34 of the Indian Penal Code, 1860, registered at PS:Gandhi Nagar, Delhi and the proceedings emanating therefrom are quashed. However, the petitioners will deposit a sum of Rs.2,000/- with the Delhi Police Martyr's Fund,

Account No.18200110036907, UCO Bank, IFSC Code:UCBA0001820 and a receipt of the said sum be filed in the Registry within ten days. In case the petitioners fail to deposit the said sum, the prosecution shall be entitled to move an application for passing appropriate orders.

6. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

NOVEMBER 26, 2018

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