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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 6553/2018**

SH. YOGESH KUMAR & ORS. Petitioners

Through: Mr. Rahul Kumar Singh

versus

STATE & ORS. Respondents

Through: Mr. Panna Lal Sharma, APP
with SI Satish, PS:Mayur
Vihar, Delhi

Mr. Dalip Kumar Santoshi,
Advocate for respondent Nos.2
to 4

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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20.12.2018

CRL.M.A.50428/2018

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

CRL.M.C. 6553/2018

1. The petitioners have moved the present petition under Section 482 of the Code of Criminal Procedure, 1973 (Cr. PC) for quashing of FIR No.211/2011, under Sections 323/308/341/506/34 of the Indian Penal Code, 1860 ('IPC'), registered at PS:Mayur Vihar, Phase-I, Delhi and the subsequent proceedings emanating therefrom.

2. The petitioners and respondent Nos.2 to 4 and their respective counsel submitted that the parties have resolved their disputes on their own free will, without any force, will or pressure vide Settlement-cum-Compromise Deed dated 9.10.2018. Learned counsel for the parties further submitted that some hot arguments erupted between the

parties, as a result of which a scuffle took place and they sustained injuries and filed cross-FIR against each other. Learned counsel for the petitioners submitted that the cross-FIR, bearing No.277/2011 was listed in the Court of HMJ A.K. Pathak and the Hon'ble Judge has been pleased to quash the said FIR today itself. Learned counsel for the parties also submitted that taking into consideration the age of the parties, a lenient view may be taken and the parties may be given a chance to reform and mix-up in the mainstream of the society and live as good citizens.

3. Respondent Nos.2 to 4, who are present in Court, reiterated and submitted that the Settlement has been effected on their own free will, without any force, pressure or coercion and they do not want to pursue the criminal proceedings and they have no objection to the petition being allowed and the FIR being quashed. The parties also assure the Court that they shall not get involved in any fight in future and shall not get involved in any criminal activities.

4. The Investigating Officer ('IO') has identified the petitioners as well as the respondents and has also verified the settlement arrived at between the parties. The IO stated that the parties are now living peacefully in the area.

5. In view of the aforesaid circumstances, the settlement arrived at between the parties and the assurance given by the parties that they shall not fight in future and may be given a chance to reform and allowed to live happy and peaceful lives, 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. 211/2011, under Sections 323/308/341/506/34 of the IPC, registered at PS:Mayur Vihar, Phase-I, Delhi and the subsequent proceedings emanating therefrom are quashed, subject to the petitioners and respondent Nos.2 to 4 depositing Rs. 6,000/- each with the Delhi High Court Advocates' Welfare Fund within ten days. The petitioners and respondent Nos.2 to 4 shall also deposit Rs.6,000/- with Delhi Police Martyrs' Fund, Account No.18200110036907, UCO Bank, IFSC Code:UCBA0001820 within ten days and the receipts of the same be filed in the Registry of this Court within two weeks and copies of the said receipts shall also be handed over to the learned APP through the IO. In case the petitioners and respondent Nos.2 to 4 fail to deposit the aforesaid amount, the prosecution shall be entitled to move an application for passing appropriate orders.

6. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

DECEMBER 20, 2018/tp