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

+ **W.P.(CRL) 3096/2017**

GYAN CHAND @ GYANI & ORS

..... Petitioner

Represented by: Mr. Hemant Mudgil and Mr.
Amit Kumar, Advocates.

versus

THE STATE GOVT OF NCT OF DELHI & ORS Respondent

Represented by: Ms. Richa Kapoor, ASC for the
State with ASI Ashok Rastogi,
PS Timarpur with Mr. Ashish
Negi, Advocate.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
02.01.2018

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By the present petition the petitioners and respondent Nos. 4 and 5 seek quashing of FIR No. 309/2017 under Sections 323/341/506/34 IPC registered at PS Timarpur, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR the petitioners and respondents No. 4 and 5 are the only accused and the respondent No. 2 is the complainant/victim and respondent Nos. 3 the other victim. She further states that besides respondent Nos. 2 and 3 the other two

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victims Raju and Ramesh have not been impleaded. . She further states that since Smt. Sudesh Kumari Sharma suffered fracture Section 325 IPC was added to the above noted FIR during the course of investigation. Status report has been handed over which is taken on record.

Faced with this situation learned counsel for the petitioner has handed over amended memo of parties impleading Raju and Ramesh both Sons of Omveer Sharma as respondent Nos. 6 and 7 which is taken on record.

Respondent Nos. 2 and 3 and newly added respondent Nos. 6 and 7 are present in Court and are identified by the Investigating Officer. They state that they have settled the matter with the petitioners and respondent Nos. 4 and 5 vide settlement agreement dated 6th November, 2017 copy where has been annexed as annexure P-2 to the present petition. They further state 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 the settlement.

The petitioners and respondent Nos. 4 and 5 who are present in Court and are identified by the learned counsel affirm the statement of respondent Nos. 2, 3, 6 and 7 and undertake to abide by the terms of settlement arrived at on 6th November, 2017.

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. 309/2017 under Sections 325/323/341/506/34 IPC registered at PS Timarpur, Delhi and proceedings pursuant thereto are hereby quashed.

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

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

JANUARY 02, 2018
‘yo’