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

+ **W.P.(CRL) 3167/2017**

SHUBAM KAPOOR

..... Petitioner

Represented by: Mr. Ishwar Singh, Advocate
with petitioner in person.

versus

THE STATE GOVT OF NCT OF DELHI & ORS Respondents

Represented by: Mr. Ashish Aggarwal,
Additional Standing Counsel
for State, Mr. Piyush Singhal,
Advocate with ASI Devendra
Singh, PS Mahendra Park.
Respondent Nos. 2 and 3 in
person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

10.05.2018

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By the present petition the petitioner seeks quashing of FIR No.251/2017 under Section 363 IPC registered at PS Mahendra Park, Delhi on the complaint of respondent No.3 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 petitioner is the only accused and the respondent No. 2 the victim and respondent No.3, father of the victim. He further states that the above noted FIR was registered by respondent No. 3, when his son, that is, respondent No.2, who was a minor was missing. Respondent No.2 later returned on his own

W.P.(CRL) 3167/2017

Page 1 of 3

and got his statement recorded wherein he stated that the petitioner lost some cash in gambling whereas respondent also lost his mobile phone in gambling and due to the fear and on the advice of the petitioner, who was his friend, though a major at that time, both of them ran away and later came back to their houses.

Father of respondent Nos. 2 is present in Court and is identified by the Investigating Officer. He on his behalf and on behalf of respondent No.2, who is still a minor, aged around 17½ years states that the above noted FIR was lodged in confusion as he was not aware that the two boys had left and ran away after they lost money and mobile while playing gambling. In terms of the settlement he does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

The petitioner who is present in Court and is identified by the learned counsel affirms the statement of respondent No.2 and states that he will abide by the terms of the settlement arrived at between the parties vide Compromise Deed annexed as Annexure-B of the paper-book.

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.251/2017 under Section 363 IPC registered at PS Mahendra Park, Delhi and proceedings pursuant thereto are hereby quashed.

Petitioner and respondent No.3 on his behalf and on behalf of respondent No.2 have signed this order sheet in acknowledgment of their statements made before this Court.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

MAY 10, 2018
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