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

+ **W.P.(CRL) 3283/2017**

MANISH KUMAR GOYAL

..... Petitioner

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

versus

THE STATE GOVT OF NCT OF DELHI & ANR..... Respondents

Represented by: Mr. Ashish Negi, Advocate for
Ms. Richa Kapoor, Additional
Standing Counsel for State with
SI Om Prakash, PS Hauz Khas.
Mr. Deepak Kumar, Advocate
for respondent No.2 with
respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

09.04.2018

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By the present petition the petitioner seeks quashing of FIR No. 229/2017 under Sections 341/506 IPC read with Sections 27/30/54/59 Arms Act registered at PS Hauz Khas, Delhi on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned proxy counsel for learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that after investigation Sections 27 and 30 Arms Act have been removed for the reason the petitioner has not used the arm in his possession and the same was a valid arm pursuant to arms licence issued to the petitioner. The above

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noted FIR was registered when the petitioner allegedly abused the respondent No. 2 and while he was trying to flee away, he was apprehended and from the car a pistol along with three cartridges and arms license was seized. Thus there is no use of the weapon. Hence Sections 27/30 Arms Act are not made out. As per the status report charge sheet for offence punishable under Sections 341/506 IPC has been prepared and is likely to be filed before the learned Trial Court.

Respondent No. 2 is present in Court and is identified by the learned counsel and the Investigating Officer. He states that he has settled the matter with the petitioner vide Mutual Agreement dated 17th November, 2017, copy whereof is annexed as Annexure-P-2. 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 undertakes to abide by the terms of the settlement arrived at between the parties vide Mutual Agreement dated 17th November, 2017. He also tenders his apology to respondent No. 2 and assures that no such misbehaviour will take place in future and to show remorse the petitioner undertakes 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. 229/2017 under Sections 341/506 IPC read with Sections 27/30/54/59 Arms Act registered at PS Hauz Khas, Delhi and proceedings pursuant thereto are hereby quashed subject to the petitioner depositing a cost of ₹25,000/- with the Juvenile Justice Fund maintained by the Registrar General of this Court 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.

APRIL 09, 2018

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