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

+ **W.P.(CRL) 3689/2018 and CrI.M.A. No. 49568/2018**

PRINCE PANWAR @ PUMMY & ORS. Petitioner

Represented by: **Mr. Rakesh Sherawat, Mr. Sheen Sherawat and Mr. Ashwani Dagar, Advocates.**

versus

THE STATE (NCT OF DELHI) & ORS. Respondent

Represented by: **Mr. Rajesh Mahajan, ASC with Ms. Jyoti Babbar, Advocate with SI Gajendra, ACP Rajesh Kumar, PS Hauz Khas. Mr. Kishore Dimania, Advocate for R-2 to 6.**

**CORAM:
HON'BLE MS. JUSTICE MUKTA GUPTA**

**ORDER
18.12.2018**

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1. By this petition, the petitioners seek quashing of FIR No. 298/2018 under Sections 308/34 IPC and Section 3 (1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act, 1989) in short the 'SC & ST' Act on the ground that parties who are neighbour have settled the matter and do not wish to pursue the above noted FIR and the proceedings pursuant thereto.

2. Learned Additional Standing Counsel for the State on instructions submits that in the above noted FIR the seven petitioners are the only

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accused and the respondent No. 2 is the complainant/victim and respondent Nos. 3 to 6 the other victims.

3. Respondent Nos. 2 to 6 are present in Court and are identified by the learned counsel and the Investigating Officer. They state that they have settled the matter with the petitioners who are their neighbour vide the settlement deed dated 20th November, 2018 with the intervention of the elders and family members copy whereof is annexed at pages 47 to 50 of the paper book. In terms of the settlement they do not wish to pursue the abovementioned FIR and the proceedings pursuant thereto.

4. Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent Nos. 2 to 6 and undertake to abide by the terms of settlement arrived at between the parties. They assure that no such misbehaviour will take place in future. To show remorse they undertake to deposit cost.

5. 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 as co-ordinate benches of this Court in the decision reported as 2012 (3) JCC 2112 Aditya Chandershekhar Pandit & Ors. Vs. State of NCT of Delhi and another 2016 SCC online Del 1417 Kiran Bala Vs. State of NCT of Delhi & Anr. have quashed FIRs registered under the provisions of SC & ST Act.

6. Consequently, FIR No. 298/2018 under Sections 308/34 IPC and Section 3 (1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act, 1989) in short the 'SC & ST' Act and proceedings pursuant thereto are hereby quashed subject to a consolidated cost of ₹21,000/- to be deposited by the petitioners with the Delhi High Court Staff Welfare Fund within four weeks.
7. Parties have signed this order sheet in acknowledgment of their statements made before this Court.
8. Petition and application are disposed of.
9. Order dasti.

MUKTA GUPTA, J.

DECEMBER 18, 2018
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