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

Date of decision: 18.10.2019

+ CRL.M.C. 5343/2019

SHRI RAVI & ANR.

..... Petitioner

Through: Mr. J.C. Mahindroo and
Mr. Shubham Agarwal, Advs.

versus

STATE & ORS.

..... Respondents

Through: Mr. Tarang Shrivastava, APP for State
SI Shravan Kumar, PS – Paschim
Vihar and SI Raju Yadav, PS – Sultan
Puri, Delhi
R-2 to 4 in person

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

J U D G M E N T (O R A L)

CRL.M.A. 38560/2019 (Exemption)

1. Allowed, subject to all just exceptions.
2. This application is, accordingly, disposed of.

CRL.M.C. 5343/2019

3. Vide the present petition, the petitioner seeks direction thereby quashing FIR No. 950/2015, registered at Police Station – Sultan Puri, Delhi and all other proceedings emanating therefrom.

4. Notice issued.
5. Notice is accepted by learned APP for the State and counsel for the respondent no.2.
6. With the consent of the counsel for the parties, the present petition is taken up for final disposal.
7. Learned APP appearing on behalf of the State has strongly opposed the present application by submitting that the petitioners have caused grievous injuries to two of the complainants and simple injuries to the third complainant and the incident had taken place at around 12.00 AM in the night when the complainants/ injured persons were in some function. The petitioners were drunk and injuries were caused by the baseball bat.
8. However, learned APP further submits that if this Court is inclined to quash the FIR, heavy costs may be imposed on the petitioners.
9. Mr. J.C. Mahindroo, learned counsel for petitioners, on instructions, come forward and submits that the petitioners have introspected after the incident and they undertake not to indulge in these incidents in future. And further, they are ready to contribute some amount as repentance.
10. Respondent Nos. 2 to 4 are personally present in Court and they have

been identified by SI Shravan Kumar/IO and submits that matter has been settled and they do not wish to prosecute the matter any further.

11. Accordingly, as agreed, the petitioner no. 1 shall pay an amount of ₹35,000/- and petitioner no. 2 shall pay an amount of ₹15,000/- within two weeks from today, failing which the Registrar General of this Court shall ensure the recovery thereof, as per the law. The petitioner no. 1 is directed to pay the aforesaid amount in favour of Delhi Police Martyrs Fund and petitioner no. 2 is directed to deposit the imposed amount in favour of Blind School, Amar Colony, New Delhi.

12. Taking into account the aforesaid facts, this Court is inclined to quash the concerned FIR as no useful purpose would be served in prosecuting the petitioners any further.

13. For the reasons afore-recorded, the FIR No. 950/2015, registered at Police Station – Sultan Puri, Delhi and all other proceedings emanating therefrom are hereby quashed.

14. Since the FIR and emanating proceedings thereto are quashed, the learned Metropolitan Magistrate is directed to release an amount of ₹30,000/- (₹15,000/- deposited by each of the petitioner) in favour of the respondent no. 2 – Mrs. Sumitra (complainant/injured).

15. The petition is allowed accordingly.
16. Order *dasti* under the signatures of Court Master.

(SURESH KUMAR KAIT)
JUDGE

OCTOBER 18, 2019

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