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

+ **W.P.(CRL) 2677/2019**

SAGAR BALAYAN & ORS

..... Petitioners

Through: **B.S. Rana, Mr Pankaj Gupta and Mr
Jitender Sharma, Advocates.**

versus

THE STATE & ORS

..... Respondents

Through: **Mr Sanjay Lao, ASC with Mr
Karanjeet Sharma, Advocate for State
with SI Vineet Kumar.
Mr Prashant Kumar Bhardwaj,
Advocate for complainant along with
Complainant in person.**

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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06.11.2019

CRL.M.A. 36337/2019

1. Exemption is allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(CRL) 2677/2019 and CRL.M.A. 36336/2019

3. The petitioners have filed the present petition, *inter alia*, praying that FIR bearing no. 181/2019, under Sections 323/341/308/506/34 of the Indian Penal Code, 1860 (IPC), registered with Police Station Narela, be quashed.
4. The present petition is premised on a settlement arrived at between the petitioners and the complainant (respondent no.2).
5. The incident which was reported was that the petitioners had followed respondent no.2 and 3 from Kundli and assaulted them with rods. In the

incident, respondent no.2 had suffered grievous injuries and, therefore, the offence under Section 325 of the IPC was added subsequently. Respondent no.3 also suffered injuries.

6. The petitioners are present in Court and are identified by their counsel. They state that they have no grievance against respondent nos. 2 and 3 and have also paid a sum of ₹1,20,000/- as compensation to the said respondents. In addition, they undertake to pay a sum of ₹1,00,000/- lakh each (aggregating a sum of ₹3,00,000/-) to the Delhi Police Martyrs Fund within a period of two weeks from today.

7. Respondent nos. 2 and 3 are present in Court and are identified by the Investigating Officer. They state that they have resolved all their differences with the petitioners and join the petitioners in praying that the FIR in question be quashed.

8. In view of the statements made by the petitioners and in view of the fact that they have expressed a sense of remorse, this Court considers it apposite to quash the FIR in question, subject to the petitioners depositing the cost as undertaken to this Court.

9. Accordingly, FIR bearing no. 181/2019, under Sections 323/341/308/506/34 of the IPC, registered with Police Station Narela, and all other proceedings emanating therefrom, are quashed and as stated above, subject to the petitioners' depositing the cost within a period of two weeks from today. The proof of the same would be filed with the Registry of this Court within the aforementioned period. In the event, the said receipt is not filed as directed, the Registry is directed to place the matter before this

Court.

10. The petition is disposed of. The pending application is also disposed of.

11. The petitioners and respondent no.2 shall sign this order as an acknowledgement of their statements recorded herein.

12. Order *dasti* under signature of Court Master.

NOVEMBER 06, 2019
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VIBHU BAKHRU, J