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

+ **W.P.(CRL) 532/2019**

PAWAN ARORA & ORS.

..... Petitioners

Represented by: **Mr.Rupendra Pratap Singh, Advocate**

versus

STATE & ORS.

..... Respondents

Represented by: **Ms.Nandita Rao, ASC for the State
with SI Satyavir Singh, PS Tigri
Mr.Amitej Kumar Nagar, Advocate
for R-2 and R-3**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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19.02.2019

CrI.M.A.No.3684/2019

Allowed subject to just exceptions.

W.P.(CrI.) No.532/2019

1. By this petition, the petitioners seek quashing of FIR No.33/2019 under Sections 323/324/341/34 IPC registered at PS Tigri on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.
2. Learned Additional Standing Counsel for the State on instructions submits that in the above noted FIR the three petitioners are the only accused and the respondent No.2 the complainant/victim and respondent No.3 who is the minor son of respondent No.2, the other victim.

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3. Respondent No.2 who is present in Court and is identified by the learned counsel and Investigating Officer states on his behalf and on behalf of respondent No.3 his minor son that he has settled the matter with the petitioners who are his neighbours vide memorandum of understanding and the addendum to the memorandum of understanding dated 6th February, 2019 copy whereof annexed as Annexure P-4 to the present petition and in terms of the settlement and as the parties are living in neighbourhood, he does not wish to pursue the abovenoted FIR and the proceedings pursuant thereto. He also undertakes to abide by the terms of settlement arrived at between the parties.

4. Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2 and undertake to abide by the terms of settlement arrived at between the parties. They also assure that no such misconduct will take place in future and to show remorse 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, 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.

6. Consequently, FIR No.33/2019 under Sections 323/324/341/34 IPC registered at PS Tigri and proceedings pursuant thereto are hereby quashed subject to each of the petitioner depositing a cost of ₹5,000/- each with the Delhi High Court Staff Welfare Fund within four weeks.

7. Petitioners, respondent No.2 on his behalf and on behalf of respondent No.3 his minor son have signed this order sheet in acknowledgment of their statements made before this Court.

8. Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

FEBRUARY 19, 2019

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