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

+ W.P.(CRL) 794/2019

VIKAS KUMAR MEHTA & ORS.

..... Petitioners

Through: Mr. D. K. Pandey, Advocate with petitioners in person.

versus

THE STATE & ANR.

..... Respondents

Through: Mr. Sanjay Lao, Additional Standing Counsel for the State with ASI Devender, PS-Uttam Nagar.
Mr. Deepak Kumar, Advocate with respondents No. 2 and 3.

CORAM:

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

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18.03.2019

The present petition has been filed under Article 226 of the Constitution of India read with Section 482 Cr.P.C. seeking quashing of FIR No.450/2012 under Sections 308/341/34 of the Indian Penal Code registered at Police Station – Uttam Nagar, Delhi on the ground that the parties have resolved their disputes amicably.

Respondents No.2 and 3 are present in Court and is identified by their counsel. Learned counsel for the respondents submits that the respondents have amicably settled the matter with the petitioners with their own free will and choice without any threat, pressure and coercion. Today, respondents No. 2 and 3 have received a compensation of Rs.25,000/- (twenty thousand only) from the petitioners and they do not wish to pursue the abovementioned FIR and the proceedings pursuant thereto.

The question which arises for consideration that whether the FIR in the instant case can be quashed as the Section 308 IPC involved, is a non-compoundable offence.

In Crl. M. C. 1988/2017 titled as *Yumnam Marjit Singh vs State & Anr*, the Coordinate Bench of this Court, while relying on the case of *Gian Singh vs. State of Punjab (2012) 10 SCC 303* and *B.S. Joshi & Ors vs. State of Haryana & Anr. 2003 (4) SCC 675*, had quashed the case wherein the cases were non-compoundable in nature.

Petitioners are also present in Court today.

In view of the fact that the parties have amicably resolved their differences voluntarily and of their own free will and without any coercion, pressure, 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. Consequently, No.450/2012 under Sections 308/341/34 of the Indian Penal Code registered at Police Station – Uttam Nagar, Delhi and proceedings pursuant thereto are hereby quashed.

The petition is disposed of.

SANGITA DHINGRA SEHGAL, J

MARCH 18, 2019
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Petitioner No. 1

Petitioner No. 5

Petitioner No. 2

Respondent No. 1

Petitioner No. 3

Respondent No. 2

Petitioner No. 4