

\$~43

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

+ W.P.(CRL) 2502/2019

ROHIT OHLYAN & ANR.

..... Petitioners

Through: Mr K. B. B. Singh, Mr Vishal and Mr
Varun Guleria, Advocates.

Versus

STATE & ANR.

..... Respondents

Through: Mr R. S. Kundu, ASC for State with
Mr Hitesh Vali, Advocate with SI
Naresh Kumar, PS Nangloi

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

%

06.09.2019

CRL.M.A. 35298/2019

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

W.P.(CRL) 2502/2019

3. The petitioners have filed the present petition, *inter alia*, praying that FIR No.0464/2018, under Sections 308/323/342/34 of the Indian Penal Code, 1860 registered with PS Nangloi, be quashed.
4. The said FIR has been lodged at the instance of respondent no.2. It is

stated that he, alongwith his friends (Praveen, Rohit and Amit), had gone to the office of the petitioners as they had been assured job placements. Respondent no.2 also claimed that a consultancy fee had been paid by him and he had gone to the office to demand refund of the same. It is alleged that the petitioners had closed the door of the said office and the petitioners, along with their other associates, had assaulted respondent no.2 and his friends with *lathi* and *sticks*.

5. The petitioners and respondent no.2 state that the said dispute has since been amicably resolved. It is reiterated that none of the said persons have been injured. The petitioners and respondent no.2 request that the FIR be quashed. Respondent No.2 states that he no longer wishes to pursue any complaint against the petitioners.

6. Mr Amit, s/o Shri Bhagwan, who is stated to have suffered a simple injury in the incident, is present in the Court. He is identified by the learned counsel appearing for the petitioners. He also joins the petitioners and respondent no.2 in requesting that the FIR be quashed.

7. In view of the above, this Court considers it apposite to quash the FIR (FIR No.0464/2018 under Sections 308/323/342/34 of the IPC registered with PS Nangloi) in question. It is so directed. All proceedings arising from the FIR are also quashed.

8. The petitioners are identified by their counsel and respondent no.2 and Shri Amit are identified by the Investigating Officer.

9. The petitioners, Amit, s/o Shri Bhagwan, and respondent no.2 shall sign this order as an acknowledgment of their statements recorded therein.
10. Order *dasti* under signatures of the Court Master.

VIBHU BAKHRU, J

SEPTEMBER 06, 2019
MK