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

+ **W.P.(CRL) 1763/2018**

RAKESH GUPTA & ANR Petitioner

Represented by: Mr. Gaurav Goyal, Ms. Rima
Majumdar, Advs.

versus

STATE & ANR

..... Respondent

Represented by: Ms. Kamna Vohra, ASC with SI
Varun PS Hauz Khas.
Mr. Amol Sinha, Mr. Naveen Kr.,
Advs. for R-2 with R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

05.02.2019

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By the present petition the petitioners seek quashing of FIR No. 107/2018 under Sections 288/336/506 IPC registered at PS Hauz Khas, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR the two petitioners are the accused and respondent No.2 the complainant/ victim.

Respondent No. 2 is present in Court and is identified by the learned counsel and the Investigating Officer. He states that he has settled the matter with the petitioners vide the settlement deed dated 15th May, 2018

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copy whereof is annexed as Annexure P-2. He further states that his drawing room wall got damaged due to the falling of the debris in the front courtyard when the petitioners as building contractors were undertaking the construction work in the adjoining house and since the petitioners have got repaired his wall, he does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2 and undertake to be careful in future. To show remorse they undertake to deposit a cost of ₹10,000/- each.

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, 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, FIR No. 107/2018 under Sections 288/336/506 IPC registered at PS Hauz Khas, Delhi and proceedings pursuant thereto are hereby quashed subject to each of the petitioner depositing a cost of ₹10,000/- with the Juvenile Justice Fund maintained by the Registrar General of this Court within four weeks, receipt whereof will be placed on record.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

Petition is disposed of. Order dasti.

FEBRUARY 05, 2019
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MUKTA GUPTA, J.