

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

Date of Order: January 07, 2019

+ CRL.M.C. 5033/2017

LAXMI NARAIN @ PAPPY & ORS Petitioners
Through: Mr. Mayank Mohan, Advocate

Versus

STATE (NCT OF DELHI) & ORS Respondents
Through: Mr. Izhar Ahmad, Additional
Public Prosecutor for respondent-
State with SI Ranbir Singh
Respondents No.2, 3 & 5 are
present in person

CORAM:
HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

Crl.M.A.19884/2017 (Exemption)

Allowed subject to all just exceptions.

Crl.M.A.19885/2017 (delay)

There is delay of 02 days in re-filing the accompanying petition.

For the reasons stated in the application, it is allowed and the delay is condoned.

The application is disposed of.

CRL.M.C. 5033/2017 & Crl.M.A. 19883/2017 (stay)

1. Quashing of FIR No.209/2012, under Sections 323/354/34 of IPC registered at police station Nangloi, Delhi is sought in this petition on the

basis of *Mediated Settlement* of 3rd September, 2015 (*Annexure P-2*).

2. Upon notice, learned Additional Public Prosecutor for respondent-State submits that respondent No.2, present in the Court, is complainant/first-informant of the FIR in question and she has been identified to be so by SI Ranbir Singh on the basis of identity proof produced by her. Respondents No.3 & 5 are also present in the Court and they submit that they have instructions from respondents No.4, 6 & 7 to submit that they respondents shall abide by the aforesaid *Mediated Settlement (Annexure P-2)*. As per aforesaid *Mediated Settlement (Annexure P-2)*, complainant of the FIR in question has to be compensated.

3. Respondent No.2, present in the Court, submits that the dispute between the parties has been amicably resolved vide aforesaid *Mediated Settlement (Annexure P-2)* and that she has already received part compensation of ₹20,000/- .

4. Learned counsel for petitioners submits that petitioners have brought compensation of ₹40,000/- in cash, which has been handed over to respondent No.2, who has accepted it. Learned counsel for petitioners submits that petitioners are neighbours of respondents and petitioners have undertaken to pay the balance compensation amount of ₹10,000/- in cash to her within two days from today. This is acceptable to respondents. Let it be so done.

5. In the facts and circumstances of this case, this petition and the application are disposed of with direction to respondent No.2-Renu to hand over her affidavit regarding the *Mediated Settlement (Annexure P-2)*

being fully acted upon, to petitioners after receiving the entire compensation and thereafter, petitioners shall place the said affidavit before the trial court on the date fixed. If it is so done, then the proceedings arising out of the FIR in question be brought to an end by the trial court.

6. With aforesaid directions, this petition and the application are disposed of.

Dasti.

JANUARY 07, 2019

s

**(SUNIL GAUR)
JUDGE**

