

\$~4.

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

+ **CRL.M.C. 5859/2019**

SUNIL KUMAR & ORS. Petitioners

Through: Mr. Vijay Kinger and Ms. Roopa
Nagpal, Advocates

versus

STATE & ANR. Respondents

Through: Dr. M.P. Singh, APP for State with
SI Naveen Kumar, P.S. Khajuri Khas

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

%

13.01.2020

1. The present proceedings are instituted seeking quashing of FIR No.493/2016, registered under Sections 308/324/34 IPC at P.S. Khajuri Khas, Delhi on the ground of settlement having been arrived at between the petitioners and respondents No. 2.
2. As per the case of the prosecution, the present FIR has been filed against the present petitioners who physically assaulted respondent No. 2 thereby causing injuries which are opined to be simple in nature.
3. Dr. M.P. Singh, learned APP for the State submits that the charge-sheet in the present case has been filed under the aforesaid sections against the petitioners and respondent No.2 is the only complainant/victim.
4. Learned counsels for the parties submit that the parties have entered into a settlement vide Settlement Deed dated 10.10.2019. A copy of the same is annexed as Annexure-P2 with the petition. In terms of the settlement, respondent No. 2 is now left with no claim whatsoever against the petitioners.

5. The petitioners, who are present in person, are identified by their counsel and the Investigating Officer. Respondent No.2, who is present in person, is also identified by the Investigating Officer. The petitioners have shown remorse for their conduct and have undertaken not to repeat the same in future.
6. Respondent No.2, who is present in Court, states that he has entered into the settlement with the petitioners out of his own free will, volition and without any coercion. He further states that the petitioners have not repeated the offence and that he has no objection if the present FIR and consequent proceedings are quashed.
7. Learned counsels for the parties submit that no other proceedings are pending between the parties.
8. The parties are bound by the statements made in Court today.
9. In view of the above and the fact that the parties have amicably settled their disputes and since no useful purpose will be served in continuance of the criminal proceedings against the petitioners, it is accordingly directed that the aforesaid FIR and the consequent proceedings arising therefrom are hereby quashed, subject to payment of costs of Rs.7,500/- each to be deposited by the petitioners with the “*The Delhi High Court (Middle Income Group) Legal Aid Society*” within a period of two weeks. Proof of deposit be filed in Court as well as with the I.O.
10. With the above directions, the petition is disposed of.
11. Order *dasti* to the learned counsels for the parties.

MANOJ KUMAR OHRI, J

JANUARY 13, 2020/na

CRL.M.C. 5859/2019

Page 2 of 2