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

+ **CRL.M.C. 26/2020**

AMIT DUTT @ ANSHU & ORS

..... Petitioners

Through: Mr. B.S. Rana, Advocate alongwith
petitioners in person.

Versus

STATE & ANR

..... Respondents

Through: Ms. Manjeet Arya, APP for State with SI
Deepak, P.S. Punjabi Bagh
Mr. Mohit Chawla, Advocate with respondent No.
2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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07.01.2020

CRL.M.A. 107/2020 (Exemption)

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

CRL.M.C. 26/2020

1. The present proceedings are instituted seeking quashing of FIR No. 268/2017 under Sections 354/323/341/506/34 IPC registered at P.S. Punjabi Bagh, Delhi on the ground of settlement having been arrived at between the petitioners and respondent no. 2.
2. As per the prosecution case, the present FIR has been filed by respondent no.2 against the present petitioners who are their neighbours. The incident occurred on account of a quarrel that took place between the parties on the issue of parking of motorcycle.

3. Ms. Manjeet Arya, 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 counsel for the petitioners submits that the petitioners and respondent no.2 have entered into a settlement on 23.12.2019. A copy of the same is annexed with the petition as Annexure P-7. In terms of the settlement, respondent no.2 is now left with no claim whatsoever against the petitioners.
5. The petitioners and respondent no.2 who are present in person are identified by their respective counsels as well as 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 states that she has entered into the settlement with the petitioners out of her own free will, volition and without any undue force, pressure or coercion. She further states that the petitioners have not repeated the same incident and that she has no objection if the present FIR and consequent proceedings are quashed.
7. Learned counsels for the parties submit that besides the present FIR there is cross FIR No. 360/2017 under Sections 323/354/354(B)/506/34 IPC P.S. Punjabi Bagh, Delhi and quashing of the same is sought in CRL.M.C. 23/2020.
8. The parties shall remain bound by their statements made in Court today.
9. In view of the settlement arrived at between the parties voluntarily, in my view, no useful purpose will be served in continuance of the present

criminal proceedings. Accordingly, in the interest of justice, aforesaid FIR and the consequent proceedings emanating therefrom are hereby quashed, subject to costs of Rs.5,000/- to be deposited with '*Delhi High Court Legal Services Committee*' by the petitioners within one week. Receipt evidencing deposit of costs be filed in the Registry as well as with the Investigating Officer.

10. With the above directions, the petition is disposed of.

11. Order *dasti* to the counsels for the parties.

MANOJ KUMAR OHRI, J

JANUARY 07, 2020/p'ma