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

+ **CRL.M.C. 69/2020**

DEEPAK & ORS

..... Petitioner

Through: Mr. Akshya Kr. Sharma and
Ms. Monika Sharma, Advocates alongwith all
petitioners.

versus

STATE OF NCT OF DELHI & ANR

..... Respondent

Through: Dr. M.P. Singh, APP for State with
ASI Anil P.S. Sangam Vihar.

Complainant in person alongwith other victims.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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14.02.2020

1. The present proceedings are instituted seeking quashing of Criminal Complaint No.881/1/2014 under Sections 323/506-II/34 IPC in the Court of learned Metropolitan Magistrate-04, South District, Saket Courts, New Delhi, on the ground of settlement having been arrived at between the petitioners and respondent No. 2.
2. As per the case of the prosecution, the present FIR has been registered by respondent No. 2 against the present petitioners who physically assaulted him at a family function.
3. Learned APP for the State, on instructions, submits that the present petitioners are the only accused persons and respondent No. 2 is the only complainant/victim.
4. Learned counsels for the parties submit that parties have entered a settlement out of Court. In terms of the settlement, respondents No.2 and 3

are now left with no claim whatsoever against the petitioners.

5. The petitioners, who are present in person, are identified by their counsel as well as by the Investigating Officer. Respondent No.2, who is also 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 states that he has entered into the settlement with the petitioners out of his own free will, volition and without any undue force, pressure or coercion. He further states that the petitioners have not repeated the same incident and that he has no objection if the present complaint case and consequent proceedings are quashed.

7. Learned counsels for the parties submit that besides the present complaint case there is another FIR No. 40/2014, under Sections 323/354A/506/509/34 IPC registered at Police Station Sangam Vihar, Delhi and quashing of the same is sought in Crl.M.C. 73/2020.

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 Complaint Case and the consequent proceedings emanating therefrom are hereby quashed, subject to payment of costs of Rs.10,000/- to be deposited with Delhi High Court Legal Services Committee by the petitioners within two weeks from today. Proof of deposit be filed in Court as well as with the IO.

10. With the above directions, the petition is disposed of.
11. Order *dasti* to the counsels for the parties.

MANOJ KUMAR OHRI, J

FEBRUARY 14, 2020

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