

\$~4

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

+ **CRL.M.C. 73/2020**

JITENDER GUPTA @ BAUA & ANR Petitioner

Through: Mr. Manoj Kumar, Advocate
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.
Mr. Akshya Kr. Sharma and
Ms. Monika Sharma, Advocates for
R-2 to 4 alongwith all respondents.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

%

14.02.2020

1. The present proceedings are instituted seeking quashing of FIR No.40/2014 under Sections 323/354A/506/509/34 IPC registered at Police Station Sangam Vihar Delhi, on the ground of settlement having been arrived at between the petitioners and respondents No. 2 to 4.
2. As per the case of the prosecution, the present FIR has been registered by respondents against the present petitioner who were physically assaulted at a family function.
3. Learned APP for the State, on instructions, submits that the charge sheet in the present case has been filed under the aforesaid sections against the present petitioners and respondents No. 2 to 4 are the only complainants/victims.
4. Learned counsels for the parties submit that parties have entered a settlement out of Court. In terms of the settlement, respondents No.2 to 4

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. Respondents No.2 to 4, who are also present in person, are 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. Respondents No.2 to 4 states that they have entered into the settlement with the petitioners out of their own free will, volition and without any undue force, pressure or coercion. They further state that the petitioners have not repeated the same incident and that they have 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 another complaint case No. 881/1/2014 under Section 323/506-II/34 IPC and quashing of the same is sought in Crl.M.C. 69/2020.

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 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

Aj