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

+ **CRL.M.C. 607/2020**

DANISH & ANR

..... Petitioners

Through: Mr. Pradeep Kumar, Advocate
alongwith petitioners in person.

Versus

STATE OF NCT OF DELHI & ANR

..... Respondents

Through: Ms. Manjeet Arya, APP for State with SI
Subhash Kumar.

Respondent No. 2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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04.02.2020

CRL.M.A. 2512/2020 (Exemption)

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

CRL.M.C. 607/2020

1. The present proceedings are instituted seeking quashing of FIR No. 936/2015 under Sections 308/379/34 IPC registered at Police Station Nand Nagri, 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 are known to respondent No.2 and on 14.09.2015, physically assaulted him thereby causing simple injury and also committed theft.

3. Learned APP for the State, on instructions, submits that the charge sheet has been filed under the aforesaid Sections against the present petitioners and respondent no.2 is the only complainant/victim.
4. Learned counsel for the petitioners submits that petitioners and respondent no.2 have entered into a settlement on 04.12.2019 which is annexed 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 has been identified by the Investigating Officer.
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 he has no objection if the present FIR is quashed.
7. Learned counsel for the petitioners submits that no other proceedings are pending between the parties.
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, the aforesaid FIR, and the consequent proceedings emanating therefrom are hereby quashed, subject to cost of Rs.5,000/- to be deposited with *Delhi High Court Legal Services Committee* by the petitioners within two weeks from today.

The proof of deposit be filed in the Court 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

FEBRUARY 04, 2020/p'ma