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

+ W.P.(CRL) 407/2020

RAJESH & ORS

..... Petitioners

Through: Mr Dalip Kumar Santoshi, Advocate.

versus

THE STATE (NCT OF DELHI) & ANR Respondents

Through: Mr Karan Jeet Rai Sharma, Advocate
for Mr Sanjay Lao, ASC for State.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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05.03.2020

CRL.M.A. 3055/2020

1. Exemption is allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. The petitioners have filed the present petition, *inter alia*, praying that FIR bearing no. 577/2015, under Sections 308/34 of the IPC registered with PS Kalyanpuri and all proceedings emanating therefrom, be quashed.
4. The said FIR was registered at the instance of respondent no.2. He is present in Court and is identified by the Investigating Officer.
5. He states that he has resolved all his disputes with the petitioners, who are his brothers.
6. The FIR was registered with reference to an incident that had taken place on 22.06.2015. Apparently, there was a dispute between the petitioners

and respondent no.2 regarding an electricity connection and respondent no.2 had approached their mother for seeking papers for the property in order to install a separate electricity connection. It was alleged that at the said stage, the petitioners pushed respondent no.2 on the ground and hit him with an iron rod. It was alleged that other persons of the locality also gathered there and the petitioners have fled from the spot. Respondent no.2 was examined by a doctor and he opined that the nature of the injuries was simple. After completion of the investigation, charge-sheet has been prepared.

7. The petitioners are present in Court and are identified by their counsel. They state that they have since resolved all their disputes with respondent no.2 and they have expressed their regret regarding the incident and have ensured this Court that they shall not do any such violent act in future. They have also volunteered to pay a cost of ₹40,000/- to the Delhi High Court Legal Service Committee within a period of four weeks from today.

8. Both the parties (petitioners and respondent no.2) pray that the FIR in question be quashed.

9. Considering the above, this Court is of the view that the ends of justice would be served in quashing the FIR in question.

10. Accordingly, the present petition is allowed and FIR bearing no. 577/2015, under Sections 308/34 of the IPC registered with Police Station Kalyanpuri and all other proceedings emanating therefrom, are quashed.

11. This is subject to the petitioners depositing a sum of ₹40,000/- with

the Delhi High Court Legal Services Committee and filing proof of such deposit with the Registry of this Court within a period of four weeks.

12. The Registry is directed to relist the matter in the event such proof is not furnished within the aforesaid period.

13. The concerned parties (petitioners and respondent no.2) shall sign this order as an acknowledgement of their statements/undertakings recorded herein.

VIBHU BAKHRU, J

MARCH 05, 2020
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