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

Date of decision: 14.02.2020

+ CRL.M.C. 825/2020

NAVEEN KUMAR & ORS.

..... Petitioners

Through Mr.Amit Sharma, Adv. with Mr.Sahil
Chopra & Mr.P.Karthik, Adv.

versus

STATE & ORS.

..... Respondents

Through Mr. Panna Lal Sharma, APP for State.
ASI Karan Singh PS Dwarka Sec.23.
Respondent nos.2 & 3 in person.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

J U D G M E N T (O R A L)

CRL. M.A. 3384/2020

1. Allowed, subject to all just exceptions.
2. Application is disposed of.

CRL.M.C.825/2020

3. Vide the present petition, petitioners seek direction thereby for quashing of FIR No. 23/2020 dated 13.01.2020, registered at PS – Sector-23, Dwarka and all other proceedings arising therefrom.
4. Notice issued.

5. Notice is accepted by learned APP for State and respondent nos.2 & 3 who are present in person and with the consent of counsel for parties, the present petition is taken up for final disposal.
6. The present petition is filed on the ground that parties have settled their disputes and respondent Nos. 2 and 3 have no objection if the present petition is allowed.
7. Complainants/Respondent Nos.2 & 3 are personally present in Court and they have been identified by ASI Karan Singh/IO and submits that matter has been settled and they do not wish to prosecute the matter any further.
8. Petitioners and respondent nos.2 & 3 have entered into an amicable settlement vide Memorandum of Settlement dated 10.02.2020.
9. Learned APP has opposed the present petition and submits that the case is under section 308 IPC and grievous injury has been caused by iron rod, therefore, if this Court is inclined to quash FIR, heavy cost may be imposed upon petitioners.
10. Petitioner no.1 is doing laundry works, petitioner no.2 is a conductor in DTC and petitioner no.3 is a law student from MD University. Therefore, I refrain from imposing cost on petitioner nos.2 & 3, however, counsel for

petitioners, submits that petitioner no.1 is ready to contribute ₹50,000/- for welfare purposes. Accordingly, petitioner no.1 is directed to pay this amount in the following manner:-

- (a) ₹25,000/- in favour of Delhi High Court Advocates' Welfare Fund.
- (b) ₹25,000/- in favour of Delhi High Court Middle Income Group Legal Aid Society.

11. Petitioner no.1 is further directed to pay this amount within two weeks and receipt of the same shall be furnished to IO concerned.

12. Taking into account the aforesaid facts, this Court is inclined to quash FIR as no useful purpose would be served in prosecuting petitioners any further.

13. For the reasons afore-recorded, FIR No. 23/2020 dated 13.01.2020, registered at PS – Sector-23, Dwarka and consequent proceedings emanating therefrom are quashed.

14. The petition is, accordingly, allowed and disposed of.

15. Order *dasti*.

(SURESH KUMAR KAIT)
JUDGE

FEBRUARY 14, 2020
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