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

+ CRL. M.C. 1611/2020

DHIRAJ & ORS.

..... Petitioners

Through: Mr. Abinash Mishra, Advocate

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Dr. M.P. Singh, APP for State with
SI Mithilesh Kumar, P.S. Gulabi
Bagh
(Mob. No.9560196901)
Mr. Jitendra Kumar Tomar, Advocate
for the complainants with
complainants in person

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

(VIA VIDEO CONFERENCING)

ORDER

% **29.07.2020**

CRL. M.A. 10134/2020 and CRL. M.A. 10135/2020 (exemptions)

1. Allowed, subject to all just exceptions.
2. The applications stand disposed of.

CRL. M.C. 1611/2020

1. By this petition filed under Section 482 Cr.P.C., the petitioners seek quashing of FIR No.103/2020 registered under Sections 308 IPC at P.S. Gulabi Bagh, Delhi on the ground of settlement between the petitioners and respondent no.2.

2. As per the prosecution case, the present FIR has been filed on the complaint of respondent no.2 and respondent No.3 (minor) who are both brothers, against the present petitioners alleging that the petitioners assaulted them physically thereby causing blunt injuries.
3. Learned APP for the State, on instructions, submits that the present petitioners are the only accused and respondent Nos.2 and 3 (minor) are the only complainant in the present FIR.
4. Learned counsel for the petitioners submits that the petitioners and respondent Nos.2 and 3 (minor) represented through his legal guardian/father, have settled their disputes vide Memorandum of Understanding dated 27.06.2020 and in terms of the settlement, respondent Nos.2 and 3 (minor) are now left with no claim whatsoever against the petitioners.
5. The petitioner as well as respondent No. 2 and legal guardian/father of respondent No.3 are present in person through the V.C. hearing and have been identified by their respective counsels. Respondent no. 2 and legal guardian/father of respondent no. 3 state 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 submit that the petitioners have shown remorse for their conduct and have undertaken not to repeat the same in future. They state that they have no objection if the present FIR is quashed.
6. Learned counsels for the parties submit that no other proceedings are pending between the parties.

7. The parties shall remain bound by their statements made in Court today.

8. In view of the settlement arrived at between the parties, 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 is hereby quashed, subject to payment of costs of Rs.2,500/- each. Out of which Rs.1,500/- shall be paid by each petitioner to the respondents and the remaining Rs.1,000/- to be deposited by each petitioner with the Delhi High Court Legal Services Committee within four weeks. Receipt evidencing deposit of costs be handed over to the Investigating Officer as well as filed in the Registry.

9. The petition is disposed of in the above terms.

MANOJ KUMAR OHRI, J

JULY 29, 2020

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