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

Date of decision: 26th August, 2020

+ CRL.M.C. 1705/2020

SHANKY THAKUR & ANR

.... Petitioners

Through Mr. Kuldeep Rai and Mr. Ashraf Ali,
Advs.

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through Mr. Izhar Ahmed, APP for the State
with SI Dheer Singh, PS Farsh Bazar
Mr. Varun Mishra, Adv. for
respondent No.2 with respondent
No.2 in person through video
conferencing

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

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

CRL. M.A.11589/2020 (exemption)

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

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3. Vide the present petition, petitioners seek direction thereby for quashing of FIR No.0220/2020 dated 11.05.2020, registered at PS – Farsh Bazar, Delhi and all other proceedings arising therefrom.

4. Notice issued.
5. Notice is accepted by learned APP for State and by the learned counsel for the respondent No.2 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 No. 2 has no objection if the present petition is allowed.
7. Respondent No.2 is personally present in Court through video conferencing with his counsel and he has been identified by SI Dheer Singh/IO and submits that matter has been settled and he does not wish to prosecute the matter any further.
8. Petitioners and respondent No.2 have entered into an amicable settlement vide MoU/Compromise Deed dated 13.08.2020.
9. Learned APP for the State has opposed the present petition by stating that the petitioners caused stab injury to the injured who remained in the hospital for 10 days and if this Court is inclined to allow the present petition and quash the aforesaid FIR, heavy costs may be imposed upon the petitioners.
10. Though I find force in the submission of the learned APP, however,

keeping in view the financial status of the petitioners, I hereby refrain from imposing the cost.

11. Taking into account the aforesaid facts as well as the settlement arrived at between the parties, this Court is inclined to quash FIR as no useful purpose would be served in prosecuting petitioners any further.

12. For the reasons afore-recorded, FIR No.0220/2020 dated 11.05.2020, registered at PS – Farsh Bazar, Delhi and consequent proceedings emanating therefrom are quashed qua the petitioners.

13. Since the aforesaid FIR is quashed, the Jail Superintendent concerned is directed to release the petitioner No.2 forthwith, if not required in any other case.

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

15. Copy of this order be transmitted to Jail Superintendent concerned for necessary compliance.

16. The order be uploaded on the website forthwith. Copy of the order be also forwarded to the learned counsel through email.

(SURESH KUMAR KAIT)
JUDGE

AUGUST 26, 2020/rk