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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL. M.C. 1742/2020**

MONU @ PARVESH KUMAR & ORS. Petitioners
Through: Mr. Mohit Kumar, Advocate.

Versus

STATE, GOVT. OF NCT OF DELHI & ORS. Respondents
Through: Mr. Mukesh Kumar, APP for State
with IO SI Mandeep Kumar, P.S.
Karawal Nagar and earlier IO Suman
Kumar.
Mr. Sarvesh Kumar, Advocate for
R-2 to R-6 along with R-2 to R-5 in
person.

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

(VIA VIDEO CONFERENCING)

ORDER
% **08.09.2020**

1. By this petition filed under Section 482 Cr.P.C., the petitioners seek quashing of FIR No. 233/2016 registered under Sections 308/341/504/34 IPC at P.S. Karawal Nagar on the ground of settlement arrived at between the petitioners and respondent nos.2 to 6.

2. As per the prosecution case, the present FIR has been filed on the complaint of respondent no.2 against the present petitioners alleging therein that the petitioner no.1 started quarrelling with his son and when he came to intervene, the petitioner no.1 abused and threatened him;

thereafter petitioner no.1 left the spot and came back along with his family members and beat respondent no.2 and his family members i.e. respondent nos. 3 to 6 with iron rods thereby causing injuries to them.

3. Mr. Mukesh Kumar, learned APP for the State, on instructions, submits that the present petitioners are the only accused persons and respondent nos.2 to 6 are the complainants/injured persons in the present FIR. He further submits that chargesheet has been filed in the present case.

4. Mr. Mohit Kumar, learned counsel for the petitioners submits that the petitioners and respondent nos.2 to 6 have settled their disputes amicably vide Settlement/Memorandum of Understanding dated 15.05.2020 and in terms of the settlement, respondent nos.2 to 6 are now left with no claim whatsoever against the petitioners.

5. Respondent nos. 2 to 5 have joined the V.C. proceedings along with their counsel. The earlier IO *SI Suman Kumar* has also joined the proceedings and identified the respondent nos.2 to 5. Learned counsel for respondent nos. 2 to 6 submits that respondent no. 6 could not join the proceedings since he is been infected with COVID-19 but he has consented to the present quashing petition. Respondent nos. 2 to 5 submits that they including respondent no. 6 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 also submit that they as well as the respondent no. 6 have no objection if the present FIR and the consequent proceedings are 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 and the consequent proceedings emanating therefrom are quashed, subject to payment of costs of Rs.5,000/- to be deposited by each of the petitioners with the *Delhi High Court Advocates Welfare Trust* within a period of two weeks. Receipts evidencing deposit of costs be handed over to the IO and shall be filed in the Registry.
9. The petition is disposed of in the above terms.

MANOJ KUMAR OHRI, J

SEPTEMBER 08, 2020

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