

\$~12

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

% *Date of decision: 12.10.2020*

+ CRL.M.C. 1967/2020

ASHOK KUMAR GUPTA Petitioner

Through Mr.Sahil Goel, Adv.

versus

STATE NCT OF DELHI & ANR. Respondents

Through Mr.Hirein Sharma, APP for State.
Adv. for R-2 (appearance not given)
with R-2 in person through Video
Conferencing.
IO/ASI Ram Dutt.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

J U D G M E N T (ORAL)

The hearing has been conducted through video conferencing.

1. Vide the present petition, petitioners seek direction thereby for quashing of FIR No.0573/2020 dated 21.09.2020, registered at PS – Shalimar Bagh, Delhi and all other proceedings arising therefrom.
2. Notice issued.
3. Notice is accepted by learned APP for State and by learned counsel for respondent No.2 and with the consent of counsel for parties, the present

petition is taken up for final disposal.

4. 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.

5. Pursuant to MOU dated 03.10.2020, complainant/respondent no.2 has already received an amount of Rs.26,000/- and nothing has been paid to another injured namely Mr.Rakesh Kumar s/o Sher Singh and has not been made party in the present petition. On oral request of learned counsel for the petitioner, Mr.Rakesh Kumar s/o Sher Singh has been made party in the present petition and impleaded as respondent no.3.

6. Petitioner is directed to file amended memo of parties.

7. Learned APP has pointed out that settlement amount of Rs.26,000/- is very less amount if this Court is inclined to quash the present FIR, the said amount is to be increased and the same amount shall also be paid to Mr.Rakesh Kumar, respondent no.3.

8. Counsel for the petitioner, on instructions from the petitioner who has joined court proceedings through video conferencing, has agreed to pay total amount of Rs.50,000/- { Rs.26,000/- (already received) + Rs.24,000/- (additionally to be paid) } to respondent no.2 within one week from today.

Moreover, he has also agreed to pay Rs.25,000/- to Mr.Rakesh Kumar, respondent no.3 (injured) within one week.

9. Respondent No.2 is personally present in Court through Video Conferencing and has been identified by ASI Ram Dutt/IO and submits that matter has been settled and he does not wish to prosecute the matter any further.

10. Petitioner and respondent No.2 have entered into an amicable settlement vide MoU dated 03.10.2020.

11. 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.

12. Petitioner is accordingly directed to pay an amount of Rs.24,000/- in favour of respondent no.2 by DD/cheque within one week from today. The petitioner is further directed to pay an amount of Rs.25,000/- to Mr.Rakesh Kumar, respondent no.3, within one week by DD/cheque. Receipts of the payment shall be furnished to IO concerned.

13. For the reasons afore-recorded, FIR No.0573/2020 dated 21.09.2020, registered at PS – Shalimar Bagh, Delhi and consequent proceedings emanating therefrom are quashed.

14. The petition is, accordingly, allowed and disposed of.
15. The order be uploaded on the website forthwith.

SURESH KUMAR KAIT, J

OCTOBER 12, 2020/ab

