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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 728/2020

SUNIL KUMAR @ SONU & ORS.

..... Petitioners

Through: Mr. Rajendra Sahu, Advocate with
petitioners in person.

Versus

STATE & ORS.

..... Respondents

Through: Mr. M.S. Oberoi, APP for the State
with SI Nitin PS Farsh Bazar.
R-3 to 5 in person.

CORAM:

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

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10.02.2020

Crl. M.A.No. 2995/2020 (for exemption)

Exemption allowed subject to just exceptions.

The application stands disposed of.

Crl. M.A. No. 2996/2020 (for delay in re-filing)

For the reasons stated in the application, delay of 47 days in re-filing the petition is condoned.

The application stands disposed of.

CRL.M.C. 728/2020

1. Issue notice. Learned APP for the State accepts notice. Respondent No.2 has already expired. Respondent nos. 3 to 5 appear in person and accept notice.

2. This is a petition filed under Section 482 Cr.P.C. for quashing

of FIR No.164/2012, under Sections 341/323/354/34 IPC, registered at Police Station-Frash Bazar, District-East, Delhi, and all proceedings emanating therefrom.

3. On the complaint of respondent No. 2 above said FIR was registered against the petitioners on 18.05.2012.

4. Counsel for the petitioners submits that during the pendency of the trial, the parties have settled the matter amicably in terms of MOU deed dated 07.08.2019. Copy of the MOU is also placed on record.

5. Respondent nos.3 to 5 are present in Court and are identified by the IO. They submit that they have settled their disputes with the petitioners. They further submits that they have no objection if the FIR in question is quashed.

6. Learned APP for the State submits that in view of the settlement between the parties, the State has no objection if the FIR in question be quashed.

7. Keeping in view the above facts and circumstances, since the matter has been amicably settled between the parties, no useful purpose will be served by keeping the case pending. It will be nothing but abuse of the process of law. Consequentially, this petition is allowed, subject to costs of ₹30,000/- to be deposited by the petitioners with Delhi State Legal Services Authority within two weeks from today. Upon placing on record the proof of deposit of costs within a week thereafter and handing over their copies to the Investigating Officer, FIR No.164/2012, under Sections 341/323/354/34 IPC, registered at Police Station-Frash Bazar, District-East, Delhi, and the proceedings emanating therefrom shall

stand quashed.

8. The present petition stands disposed of accordingly. *Dasti.*

RAJNISH BHATNAGAR, J

FEBRUARY 10, 2020/