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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5832/2018**
HAR SINGH NARWAL Petitioner
Through: Mr. Abhishek Kumar, Advocate

versus

STATE & ANR. Respondents
Through: Mr. Mukesh Kumar, APP for State with
I.O. appearance not given
Mr. Suraj Pal Singh and Mr. Bharal Bhushan,
Advocates for respondent No.3

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI
ORDER
% **25.02.2020**

CRL.M.A. 43317/2019 (exemption)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

CRL.M.C. 5832/2018

1. The present proceedings are instituted seeking quashing of FIR No.224/2017 under Sections 324/34 IPC, registered at Police Station Vasant Kunj, Delhi on the ground of settlement having been arrived at between the parties.
2. The present FIR is an outcome of the complaint made by respondent No.2 wherein it was alleged that an altercation arose between respondent No.3 and the petitioner over delay in service at the restaurant attacked them using a sharp weapon due to which respondents No.2 and 3 sustained injuries.

3. Mr. Mukesh Kumar, learned APP for the State submits that the charge-sheet in the present case has been filed under the aforesaid sections against the present petitioner and respondents No.2 and 3 are the only complainants/victims.
4. It is informed that Rajeev Chaudhary/respondent No.2 has expired on 25.10.2019. A verification report has been filed. As per the verification report, the statement of sister of Rajeev Chaudhary was recorded, who confirmed that the deceased/her brother had expired on 25.10.2019.
5. Learned counsels for the parties submit that the parties have entered into a settlement out of the court. In terms of the settlement, sister of deceased and respondent No.3 are now left with no claim whatsoever against the petitioner.
6. The petitioner and sister of the deceased/respondent No.2 and respondent No.3, who are present in person, are identified by their respective counsels and the Investigating Officer. The petitioner has shown remorse for his conduct and has undertaken not to repeat the same in future.
7. The sister of the deceased, Sunita and Respondent No.3, who are present in Court, state that they have entered into the settlement with the petitioner out of their own free will, volition and without any coercion. They further state that the petitioner has not repeated the offence and that they have no objection if the present FIR and consequent proceedings are quashed. An affidavit of the sister of the deceased/respondent No.2 has been handed over and has also been filed to the above effect giving no objection to quashing of the present FIR.

8. Learned counsels for the parties submit that no other proceedings are pending between the parties.
9. The parties are bound by the statements made in Court today.
10. In view of the above and the fact that the parties have amicably settled their disputes and since no useful purpose will be served in continuance of the criminal proceedings against the petitioners, it is accordingly directed that the aforesaid FIR and the consequent proceedings arising therefrom are hereby quashed, subject to payment of costs of Rs.10,000/- by the petitioner to be deposited with the '*Delhi High Court Legal Services Committee*' within a period of two weeks. Proof of deposit be filed in Court as well as with the I.O.
11. With the above directions, the petition is disposed of.
12. Order *dasti* to the learned counsels for the parties.

MANOJ KUMAR OHRI, J

FEBRUARY 25, 2020

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