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

Date of decision: 08.03.2021

+ **CRL.M.C. 784/2021 & CrI.M.A.3889/2021**

MOHD. USMAN & ANR. Petitioners

Through: Ms. Suman Jain, Advocate

Versus

THE STATE & ORS. Respondents

Through: Mr. Panna Lal Sharma,
Additional Public Prosecutor for
respondent No.1/State with
SI Chander Prakash
Mr. Mayank Garg & Mr. Bharat
Bhushan Jain, Advocates for
respondents No.2 to 4

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 this petition, quashing of FIR No. 441/2020, under Sections 288/304A/34 IPC, registered at police station Vijay Vihar, Delhi is sought by petitioners.
2. Notice issued.
3. Mr. Panna Lal Sharma, learned Additional Public Prosecutor for respondent No.1/State accepts notice and submits that on 23.10.2020

during construction of a house property, two persons got injured. One of the injured succumbed to the injuries and the other, sustained simple injuries on his face. Learned Additional Public Prosecutor for State further submits that respondents No.2 and 3 are parents of the deceased and respondent No.4 is the injured of the incident in question and they are present in the Court and have been identified by the Investigating Officer of this case, who is also present in Court.

4. With the consent of learned counsel for the parties, the present petition is taken up for final hearing and disposal.

5. The present petition has been filed on the ground that the dispute between the parties has been amicably resolved in terms of Settlement Deed dated 07.01.2021.

6. Learned counsel for petitioners submits that in terms of aforesaid settlement, petitioners have handed over the balance amount of Rs.3,00,00/- by way of demand draft bearing No. '000145', dated 06.03.2021, drawn on Axis Bank, Branch East Shalimar Bagh, New Delhi to respondent No.3, who is mother of the deceased and she has accepted the same.

7. Learned counsel for petitioner further submits that in terms of

the aforesaid settlement, amount of Rs.80,000/- in cash has been handed over to respondent No.4, who has also accepted the same.

8. Respondents No. 2 to 4 present in the Court submit that the terms of settlement have been complied with and no grievance against the petitioners survives and so, the proceedings emanating from FIR in question be brought to an end. They have affirmed the contents of their affidavits filed in support of this petition.

9. Keeping in view that the dispute between the parties has been amicably resolved, this Court is inclined to quash the FIR in question, as no useful purpose would be served in continuing with the proceedings arising out of the present FIR.

10. For the reasons afore-noted, FIR No. 441/2020, under Sections 288/304A/34 IPC, registered at police station Vijay Vihar, Delhi and consequent proceedings emanating therefrom are hereby quashed.

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

12. Pending application also stands disposed of.

(SURESH KUMAR KAIT)
JUDGE

MARCH 08, 2021

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