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

+ **CRL.M.C. 5845/2023**

SONU SINGH

..... Petitioner

Through: Mr. Kedar Yadav and Mr. Rahul
Yadav, Advs. with petitioner.

versus

STATE OF DELHI & ORS.

..... Respondents

Through: Mr. Digam Singh Dagar, APP.
Mr. Sharun Daniel and Mr. Yogesh
Kumar, Advs with R-2 and 3.

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Date of Decision: 17.08.2023.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

J U D G M E N T

DINESH KUMAR SHARMA, J. (Oral)

CRL.M.A. 21986/2023

Exemption allowed subject to all just exceptions.

Application stands disposed of.

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1. The present petition has been filed seeking quashing of case FIR No. 474/2014 registered under Sections 308/506/509/34 IPC at PS Pul Prahlad Pur.
2. The present FIR was lodged on the statement of respondent No.2

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wherein she alleged that on 08/12/14, at around 6:30 p.m., she was coming back home after defecating in the nearby forest. On the way Raja Gujjar @ Rajender met her and blocked the complainant's way and abused her in the name of her mother and sister. Allegedly there have been heated arguments between them over filling up a pothole near Rajender's house and that he was angry because of that only. Upon hearing abusive language, the complainant's brother-in-law Kamaal also came out of the house. During this time, Rajender's both son Sonu, Sumit, and his servant also came there. Sonu had an iron rod in his hand and Sumit and his servant had sticks in their hands. The complainant's brother-in-law asked her what happened. In the meantime, Rajender, Sumit, and their servant hit Kamaal 5-6 times on his head, hands, and legs with sticks. When the complainant tried to intervene and rescue Kamaal, Rajender hit the stick on her leg also. The complainant called her husband on the phone and within some time he came there. Rajender's Sonu hit even assaulted complainant's husband by hitting on his head 2-3 times with iron rod. That due to injuries caused huge blood loss to her husband and her brother-in-law. Thereafter they escaped and called at 100 number and CATS ambulance took us to the AIIMS Trauma Centre, where Rajender again threatened to kill complainant's Husband and said they can't do anything against him. This resulted in the registration of the present FIR.

3. It has been submitted that subsequently during the pendency of the



proceeding in the trial court, both parties arrived at a settlement vide a memorandum of understanding dated 12.08.2023 on the following terms & Conditions:

“1. That on the complaint of first party, Ms. Sameena, a case FIR no. 474/2014 U/S 308/506/509/34 IPC was got registered at PS Pul Prahladpur against the second party Sonu Singh, his father Raja Gurjar @ Rajender (now expired) and Sumit (minor).

2. That the first party no. 1 & 2 and second party are neighbors and have amicably settled the matter without any pressure, coercion, threat or inducement in order to live peaceful life in future.

3. That the first party no. 1 & 2 have no objection if the above said FIR and proceedings arising therefrom are quashed.”

4. I have perused the MLC of the injured and the injuries were found to be simple in nature. Learned counsel for petitioner submits that since the parties have amicably resolved all the disputes between them, thus no useful purpose will be served by continuing with the present complaint.
5. The parties are present and have been duly identified by the IO. Respondents No. 2/complainant submits that she has amicably settled all the disputes with the petitioner and want to put a quietus to the same. Complainant has stated that she has amicably settled with the petitioners out of her own free will, without any threat, fear, force, or coercion. She does not want to pursue the present FIR and has no objection if the present FIR along-with all the consequent proceedings emanating therefrom are quashed.



6. Learned APP has opposed the quashing of FIR and submits that this trend of lodging of the FIR and then coming for the quashing on the basis of settlement is increasing.
7. I have considered the submissions.
8. Considering the totality of facts and circumstances of the case and in view of the statement of the respondent No.2, the FIR No. 0474/2014 registered under Sections 308/506/509/34 IPC at PS Pul Prahlad Pur and all criminal proceedings emanating therefrom are quashed.
9. The present petition stands disposed of.

DINESH KUMAR SHARMA, J

AUGUST 17, 2023/AR

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