



\$~103

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

+ **CRL.M.C. 2377/2024**

RAJENDER KUMAR & ORS.

..... Petitioners

Through: Ms. Mamta Bharti, Advocate with
petitioners in person

versus

STATE OF NCT OF DELHI & ORS.

..... Respondents

Through: Mr. Sanjeev Sabharwal, APP for State
Respondent Nos. 2 to 9 in person

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

%

22.03.2024

CRL.M.A.9137/2024 (exemption)

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

CRL.M.C. 2377/2024

1. The present proceedings are instituted under Section 482 Cr.P.C. seeking quashing of FIR No. 398/2021 registered under Sections 308/323/34 IPC at Police Station Kapashera, Delhi on the ground that the parties have amicably settled their disputes.
2. As per the allegations levelled in the FIR, a quarrel took place on the issue of theft mobile phone wherein the petitioners beat and caused serious injuries to respondent Nos. 2 to 9 with brick and sticks.
3. Mr. Sanjeev Sabharwal, learned APP for the State, on instructions, submits that the petitioners are the only accused persons and



respondents No. 2 to 9 are the only complainants/victims in the present case.

4. Learned counsel for the petitioners submits that the parties have amicably settled their disputes vide Memorandum of Understanding/Settlement dated 20.05.2022. In terms of the said settlement, complainants are now left with no claim or grievance against the petitioners.

5. The petitioners, who are present in Court, have been identified by their counsel as well as the I.O./SI Jabir Malik, P.S. Kapashera, Delhi. Respondent No. 2 to 9, who are also present in Court, have been identified by the I.O.

6. The petitioners have shown remorse for their conduct and undertake not to repeat the same in future. Respondent No. 2 to 9 state that they have entered into the aforementioned MoU/Settlement out of their own free will, volition and without any coercion. They further state that they have no objection if the present FIR and consequent proceedings are quashed.

7. It is informed that a cross FIR being FIR No. 397/2021 registered under Sections 307/323/34 IPC at Police Station Kapashera has also been quashed today vide CRL.M.C. 2365/2024.

8. The parties shall remain bound by the statements made in Court today.

9. In view of the above facts and considering that no useful purpose will be served in continuance of the proceedings, it is directed that the aforesaid FIR and the consequent proceedings arising therefrom are hereby quashed, subject to payment of cumulative cost of Rs.10,000/- to be deposited by the petitioners with the Delhi State Legal Services Authority within a period of two weeks from today. The amount so deposited shall be utilized by the Delhi State Legal Services Authority for providing



counselling/psychological support to POCSO victims requiring such assistance.

10. Proof evidencing receipt of deposit shall be filed with the I.O. as well as in Court.

11. A copy of this order be communicated to the Member Secretary, Delhi State Legal Services Authority for intimation.

12. With the above directions, the petition is disposed of alongwith miscellaneous application.

13. In case receipt of cost is not filed within two weeks, the matter be placed before the Court.

MANOJ KUMAR OHRI, J

MARCH 22, 2024

ns