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

+ **CRL.M.C. 4566/2023**

ARUN KASHYAP & ORS.

..... Petitioners

Through: Mr.Amit Kumar, Advocate with
petitioners No.1, 2 and 4 in person

versus

STATE OF NCT OF DELHI & ORS.

..... Respondents

Through: Mr. Nawal Kishore Jha, APP for State
with SI Arvind Kumar
Respondent Nos.2 and 3 in person

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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12.03.2024

CRL.M.A. 17479/2023 and CRL.M.A. 17480/2023 (exemptions)

1. Allowed, subject to all just exceptions.
2. The applications are disposed of.

CRL.M.A. 17481/2023 (delay in re-filing)

1. By way of present application filed under Section 482 Cr.P.C., the petitioners seek condonation of delay of 90 days in re-filing the petition.
2. Issue notice. Learned APP for the State accepts notice.
3. For the reasons stated in the application, the present application is allowed and the delay of 90 days in re-filing the petition is condoned.
4. The application is disposed of.

CRL.M.C. 4566/2023



1. The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.239/2021 registered under Sections 308/323/341/34 IPC at P.S. Bara Hindu Rao, Delhi on the ground that the parties have amicably settled their disputes.
2. As per the allegations levelled in the FIR, the petitioners beat respondent Nos. 2 and 3 wherein respondent No.2 also suffered serious injuries due to the use of rod.
3. Learned APP for the State submits that in the present case the petitioners are the only accused persons and respondent Nos. 2 to 3 are the only complainants/victims.
4. Learned counsels for the parties submit that the parties, have entered into a settlement vide Memorandum of Understanding/Compromise dated 17.01.2023 and in terms of the settlement, respondent Nos.2 to 3 are now left with no claim whatsoever against the petitioners.
5. Petitioner No.1, 2 and 4, who are present in the Court, have been identified by their counsel as well as by the Investigating Officer. Respondent Nos.2 to 3, who are also present in the Court, have been identified by the Investigating Officer.
6. Petitioner No.1, 2 and 4 have shown remorse for their conduct and they undertake not to repeat the same in future. Respondent Nos.2 to 3 state that they have entered into the aforesaid Memorandum of Understanding/Compromise 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. Learned counsel for the petitioners submits that no other proceedings are pending between the parties.



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

9. In view of the above facts and since no useful purpose will be served in continuance of the present criminal proceedings, it is directed that the aforesaid FIR and the consequent proceedings arising therefrom are hereby quashed, subject to payment of cost of Rs.10,000/- by each petitioner to be deposited with the Delhi State Legal Services Authority within a period of four 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 Investigating Officer as well as in Court.

11. With the above directions, the petition is disposed of.

12. Let a copy of this order be communicated to the Member Secretary, Delhi State Legal Services Authority for information.

13. The Registry shall list the matter before this Court in case receipt of costs to be paid by the petitioners is not filed within the stipulated time period.

MANOJ KUMAR OHRI, J

MARCH 12, 2024

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