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

+ **CRL.M.C. 5107/2023**

GYAN CHAND ALIAS BHOLA

..... Petitioner

Through: Mr. Nikhil Gautam and Mr. M.H. Gahlan, Advocates with petitioner in person.

versus

STATE THROUGH SHO PS KAPASHEHRA & ANR.

..... Respondents

Through: Mr. Laksh Khanna, APP for State with ASI Hanuman, PS Kapashera. Mr. Umesh Kumar, Advs. for R-2 with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

% **19.01.2024**

1. The present proceedings are instituted under Section 482 Cr.P.C. on behalf of the petitioner seeking quashing of FIR No. 145/2022 registered under Sections 308 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, the complainant stated that on 16.03.2022, due to some disagreement, the petitioner picked up an iron rod and started beating the complainant due to which he sustained injuries on his head.
3. Mr. Laksh Khanna, learned APP for the State, on instructions, submits that the petitioner is the only accused and respondent No.2 is the only complainant/victim in the present case. It is further submitted that the trial is



at the stage of prosecution evidence.

4. Learned counsel for the petitioner submits that the petitioner and respondent No. 2 are known to each other and have intimate relations with each other since long time and they do not want to keep the strained relations to remain alive in future and they both desire to maintain friendly relations with each other in future. Learned counsels for the parties submit that the parties have entered into a settlement vide Compromise Deed dated 26.03.2022 and that, in terms of the settlement, respondent No.2 is now left with no claim whatsoever against the present petitioners.

5. The petitioner, who is present in Court, has been identified by his counsel as well as the I.O./ASI Hanuman, P.S. Kapashera, Delhi. Respondent No. 2 is also present in Court and has been identified by the I.O.

6. The petitioner has shown remorse for his conduct and undertake not to repeat the same in future. Respondent No. 2 also states that he has entered into the aforementioned Deed of Compromise out of his own free will, volition and without any coercion. He further states that he has no objection if the present FIR and consequent proceedings are quashed. Affidavit of Respondent No.2 has been placed on record.

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

8. 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 Rs.20,000/-, out of which Rs. 10,000/- is to be paid to the complainant by way of DD through IO and remaining amount of Rs. 10,000/- is to be deposited by the petitioner with the Delhi Legal Services



Authority within a period of two weeks from today. The amount so deposited shall be utilized by the DSLSA for providing counselling/psychological support to POCSO victims requiring such assistance.

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

10. A copy of this order be communicated to the Member Secretary, DSLSA for intimation.

11. With the above directions, the petition is disposed of alongwith miscellaneous application, if any.

MANOJ KUMAR OHRI, J

JANUARY 19, 2024/akc