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

+ CRL.M.C. 6148/2023

AKASH & ORS.

..... Petitioners

Through: Mr.Pradeep Kumar and
Mr.Arun Sharma, Advocates

versus

THE STATE (GNCT OF DELHI)

..... Respondent

Through: Mr.Mukesh Kumar, APP for State
Mr.Nishant M. and Mr.S.K. Saxena, Advocates for
complainant

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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19.01.2024

1. The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.430/2022 registered under Sections 307/34 IPC and Section 25 Arms Act at P.S. Ambedkar Nagar, Delhi on the ground that the parties have amicably settled their disputes.
2. As per the allegations levelled in the FIR, on 15.08.2022 at around 9:30 PM, the petitioners entered into a scuffle with respondent Nos.2-5, wherein respondent No.2 received injury on her back.
3. Learned APP for the State submits that in the present case the petitioners are the only accused persons and respondent No.2-5 are the only complainants/victims. It is further stated that the injuries on respondent No.2/injured are not on vital part but on the back. Copy of the chargesheet has been placed on record, which states that the injured had received injuries on her right back. It is further stated that there are 4 accused persons but



chargesheet has been filed only against petitioner Nos.1 to 3 and no chargesheet has been filed against petitioner No.4. It is further stated that petitioner Nos.1 to 3 are in judicial custody.

4. Learned counsels for the parties submit that the parties, with the intervention of the elders of the family and common relatives and friends, have entered into a settlement vide memorandum of understanding dated 31.07.2023 and in terms of the settlement, respondent Nos. 2-5 are now left with no claim whatsoever against the present petitioners.

5. Petitioner No.4 and respondent Nos.2-5, who are present in the Court, have been identified by their respective counsels and the Investigating Officer.

6. Petitioner No.4 has shown remorse for her conduct and she undertakes not to repeat the same in future. Respondent Nos. 2-5 states that they have entered into the aforesaid memorandum of understanding out of their own free will, volition and without any coercion. They further states 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 costs of Rs.50,000/- by the petitioners collectively to be deposited 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 Investigating Officer as well as in Court.

11. Considering that the aforesaid FIR stands quashed, petitioner Nos.1 to 3, who are stated to be in judicial custody, be released on bail unless found involved in any other case.

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

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

14. 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.

15. Copy of the order be communicated to the concerned Jail Superintendent for information and necessary compliance.

16. Copy of the order be uploaded on the website forthwith.

MANOJ KUMAR OHRI, J

JANUARY 19, 2024

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