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

+ **CRL.M.C. 6299/2023**

MUSTAK ALI & ORS.

..... Petitioners

Through: Mr.Kamlesh Kumar, Advocate with
petitioners in persons

versus

STATE (THROUGH SHO PS ALIPUR) & ORS. Respondents

Through: Mr. Aashneet Singh, APP for State with
ASI Rajesh Dahiya and ASI Rabjir Singh
Respondent Nos.2 to 4 in person

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

% **20.03.2024**

CRL.M.A. 23582/2023 (exemption)

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

CRL.M.C. 6299/2023

1. The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.227/2020 registered under Sections 308/323/341/506/34 IPC at P.S. Alilpur, Delhi on the ground that the parties have amicably settled their disputes.
2. As per the allegations levelled in the FIR, the petitioners gave beatings to the respondents with sticks as a result of which injuries were sustained.
3. Learned APP for the State submits that in the present case the



petitioners are the only accused persons. Learned APP for the State submits that while *Pawan* (complainant) has since expired, the three injured namely *Hariom*, *Shri Niwas* and *Ankit* have been impleaded in the present case. *Mr. Hariom* (respondent No.2), who is the real brother of *Pawan* is present in court and confirms that *Pawan* has expired.

4. Learned counsel for the petitioner submits that the parties have entered into a settlement vide Mutual Settlement dated 15.08.2023 and in terms of the settlement, respondent Nos.2 to 4 are now left with no claim whatsoever against the present petitioners.

5. The petitioners, who are present in the Court, have been identified by their counsel as well as by the Investigating Officer. Respondent Nos.2 to 4, who are present in the Court, have also been identified by the Investigating Officer.

6. The petitioners have shown remorse for their conducts and they undertake not to repeat the same in future. Respondent Nos.2 to 4 state that they have entered into the aforesaid Mutual 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. 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. The proceedings against the other accused shall remain continued.

10. Proof evidencing receipt of deposit and payment 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 20, 2024

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