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

+ **W.P.(CRL) 2713/2023**

RAHUL & ORS.

..... Petitioner

Through: Mr. Neeraj Kumar Jha, Advocate with
petitioners in person.

versus

STATE

..... Respondent

Through: Mr. Rahul Tyagi, ASC with Ms. Priya
Rai, Mr. Sangeet Sibou & Mr. Jatin,
Advocates for State along with SI
Akash, P.S. Okhla Industrial Area,
Delhi.

Mr. Divyanand Jha, Advocate for R-2
& R-3.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

28.02.2024

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1. The present petition under Article 226 of Constitution of India read with Section 482 of Code of Criminal Procedure, 1973 (Cr.P.C.) has been filed by the petitioner seeking quashing of FIR No.0590/2023 registered at Police Station Okhla Industrial Area for the offences punishable under Section 354/354(A)/354(B)/506/34 of Indian Penal Code, 1860 (IPC). The complaint in this case was registered at the instance of complainants, who are present in Court and have been identified by the IO. The petitioners seek quashing of FIR as well as the proceedings pursuant thereto on the ground that they have settled the matter amicably. The accused persons present



before this Court had tendered unconditional apology and had also given an undertaking that he will not indulge in any such activity in the future.

2. Briefly stated, the facts of the present case are that the respondents have been residing with their family in a village, wherein the petitioners had fought with the Vinay i.e. the son of the respondent no.3. While the respondent no.1 along with respondent no.3 had tried to stop the fight, the petitioners had attacked and tore the clothes of the respondents. Further, the petitioners had threatened to murder the respondents. Thereafter, the respondents had filed a complaint against the petitioners.

3. Further, a MOU cum Settlement has been made between the petitioners and Respondents along with Vinay.

4. Learned counsel for the APP for the State on instructions from the Investigating Officer submits that in the abovenoted FIR, there are three petitioners and the two complainants i.e. respondent nos.1 & 2. The petitioners have been identified by their counsel Mr. Neeraj Kumar Jha and the Investigating Officer SI Akash state that the matter has been settled amicably after the accused had tendered his apology. In terms of the settlement, the complainant does not wish to pursue the abovenoted FIR and the pursuant thereto and the accused also affirms before this Court that such misbehaviour will not take place in future and has also shown remorse. The court is inclined to quash the FIR forever subject to deposit of cost for anti-social cause.

5. The complainant is present and states that she has amicably resolved her differences of her own free will, volition and without any coercion, pressure or threat. In my opinion, no useful purpose will be served in continuance of the proceedings, it would be in the interest of justice to quash



the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing FIR in question.

6. Consequently, FIR No.0590/2023 registered at Police Station Okhla Industrial Area for the offences punishable under Section 354/354(A)/354(B)/506/34 of IPC and proceedings pursuant thereto are hereby quashed, subject to depositing the cost of Rs.5,000/- by each petitioner with the Delhi High Court Bar Association Lawyers Social Security and Welfare Fund within 10 days.

7. Copy of the receipts be also filed with the Registry to show compliance of the order and provide the receipt to the IO of the case, the petition stands disposed of in the above terms. The pending application also stands disposed of.

8. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

FEBRUARY 28, 2024/hs

Click here to check corrigendum, if any