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

+ CRL.M.C. 6897/2023 & CRL.M.As. 25781-25782/2023

LIYAKAT ALI ORS

..... Petitioners

Through: Mr. Udaipal Choudhary, Advocate
with petitioners in person.

versus

STATE NCT OF DELHI AND ORS

..... Respondents

Through: Mr. Laksh Khanna, APP for State
with SI Sandeep PS Malviya Nagar,
New Delhi.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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16.01.2024

1. The present proceedings are instituted under Section 482 Cr.P.C. on behalf of the petitioners seeking quashing of FIR No. 0413/2018 registered under Sections 323/324/341/506/34 IPC at Police Station Malviya Nagar, New Delhi on the ground that the parties have amicably settled their disputes.
2. As per the allegations levelled in the FIR on 30.11.2018 when the complainant was present in the school, the petitioners abused him and subsequently beat them with some sharp weapon and bricks.
3. Mr. Laksh Khanna, learned APP for the State, on instructions, submits that the petitioners are the only accused persons and respondent Nos.2 and 3 are the only complainant/victims in the present case. He further states that there is also a cross FIR between the parties. He further states that the complainant is not present today.



4. Learned counsel for the petitioners states that though Respondent No.2 is not present in the Court, however respondent No.3 is present in the Court who states that she has authority from her husband who has no objection to the quashing of the FIR. They also state that there is a cross FIR being FIR No.412/2018 registered at PS Malviya Nagar and that the parties will take necessary steps for quashing of the said FIR.

5. Learned counsel for the petitioners submits that the petitioners and respondent No. 2 and 3 are known to each other and present FIR was registered due to misunderstanding and with the intervention of family members and friends, parties have amicably settled their disputes vide Compromise Deed dated 28.07.2023, a copy of which has been placed on record as Annexure-P-3. In terms of the said compromise deed, complainant is now left with no claim or grievance against the petitioners. He further submits that upon instructions from the petitioners who are present in the Court that they will cooperate in quashing of the said FIR. The statement made on behalf of the petitioners is taken on record and they are bound by the same.

6. The petitioners, who are present in Court, have been identified by their counsel as well as the I.O./ SI Sandeep PS Malviya Nagar, New Delhi. who is present in the Court. Respondent No. 3 is also present in Court and has been identified by the I.O.

7. The petitioners have shown remorse for their conduct and undertake not to repeat the same in future. Respondent No. 3 also states that she has entered into the aforementioned compromise deed out of her own free will, volition and without any coercion. She further states that she and her husband have no objection if the present FIR and consequent proceedings



are quashed.

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

9. 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 cumulative cost of Rs.10,000/- to be deposited by the petitioners with the Delhi Legal Services Authority ('DSLISA') within a period of two weeks from today. The amount so deposited shall be utilized by the DSLISA for providing counselling/psychological support to POCSO victims requiring such assistance.

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

11. A copy of this order be communicated to the Member Secretary, DSLISA for intimation.

12. With the above directions, the petition is disposed of alongwith miscellaneous application.

13. In case proof of the deposit of cost is not placed on record, the Registry to list the matter before this Court.

MANOJ KUMAR OHRI, J

JANUARY 16, 2024/rd