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

+ **CRL.M.C. 5632/2024 & CRL.M.A.-21500/2024**

ANIKET @ ANKIT @ANIS & ANR.Petitioners

Through: Mr. Narender Kumar, Mr. Ashish Kumar, Mr. Rahul Sharma & Mr. Prithvi G Nair, Advs.

versus

STATE NCT OF DELHI AND ANRRespondents

Through: Mr. Hitesh Vali, APP for the State with Mr. Yatin Kumrata, Ms. J Bhanu Priya, Mr. Ayaz Ahmad, Mr. Sandesh Aggarwal, Mr. Bhasha Yadav, Ms. Perna & Mr. Mohit Garg , Advs
SI Sandeep PS Malviya Nagar
Mr. harsh Gupta, Adv. for R-2 & 3 with R-2 & 3 in person

**CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL**

ORDER

% **24.07.2024**

1. This petition is filed for quashing of FIR No.244/2020 PS Malviya Nagar under Sections 324/326/34 IPC on the basis of settlement arrived at between the parties.
2. APP for the State objects to quashing of the FIR on account of the fact that there was injury involved and brandishing of knife.
3. Petitioner nos.1 and 2 and respondent nos.2 and 3 are present in the Court, duly identified by the IO and their respective counsels. They are young boys in their early 20s and state that altercation occurred between them over



game of volley ball and got escalated into a brawl. The knife was apparently yielded by the co-accused who is CCL.

4. In order to express remorse over the situation, per the settlement, the petitioners have agreed to pay Rs.35,000/- each to respondent nos.2 and 3, out of which Rs.10,000/- already stands paid; the balance amount is paid today in the Court by way of demand drafts bearing Nos. 000049 and 000050, both drawn on Bank of India dated 23rd July 2024 for Rs.25,000/- each. The same are accepted and duly acknowledged by respondent nos. 2 and 3 in the Court.

5. Considering the issues are relating to a private dispute between the parties and in light of the above settlement between them, the chances of conviction of the petitioners being remote and bleak, there is no use continuing with proceedings of the present FIR as it would be a misuse of the process of the Court and an unnecessary burden on the State exchequer. Accordingly, the petition is allowed. Consequently, the FIR No.244/2020 PS Malviya Nagar under Sections 324/326/34 IPC and proceedings emanating therefrom are quashed.

6. Further, an undertaking has been given by petitioner nos. 1 and 2 that they shall not be indulging in any such acts in futures.

7. Parties shall abide by the terms of settlement.

8. Accordingly, the petition is disposed of along with the pending application.

9. Order be uploaded on the website of this Court.

ANISH DAYAL, J

JULY 24, 2024/sm