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

+ **W.P.(CRL) 2190/2024**

SOHAIL @MOHD SOHAIL & ANR.

.....Petitioner

Through: Mr. Brijballabh Tiwari, Mr. Bhaavan Pasricha, and Mr. Shankar, Advocates along with petitioners in person.

versus

THE STATE GOVT OF NCT OF DELHI & ORS.

.....Respondent

Through: Mr. Sanjay Lao, Standing Counsel for State with SI Omkant Yadav and ASI Udaybir Singh, P.S. Hauz Qazi.
Mr. Manoj Kumar, Mr. Kirti Birua and Ms. Lucky Ghosh, Advocates with R-2 to R-4 in person.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

24.07.2024

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CRL.M.A. 21444/2024 (Seeking Exemption)

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

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3. A Writ Petition under Article 226/227 of Constitution of India read with Section 482 Cr.P.C has been filed by the petitioners seeking quashing of FIR No.0079/2020 under Section 308/34 registered on 10.04.2024 at P.S. Hauz Qazi.



4. The complaint has been filed by the respondent No. 2 stating that he owns a milk dairy at Farash Khana. On the night of 09.04.2024 at around 08:30 P.M he along with his elder brother Mohd. Naeem were present at their home and their younger brother Mohd. Fardeen was a milk Dairy. Mohd. Fardeen called on the phone of his elder brother Mohd. Naeem that Sohail had come to the dairy and beat him with the stick. On this information the respondent No.2 along with his elder brother reached at milk dairy and when they were going towards Police Station to make a complaint, Sohail and his brother Said came and hit an iron pipe on the forehead of his elder brother Mohd. Naeem. He tried to save his elder brother when Sohail caught him and Saif started beating him on his head, chest and back with iron pipe and they also gave beatings to their younger brother Mohd. Fardeen. His elder brother Mohd. Naeem called on number 100. Police came at the spot and took them to Loknayak Hospital for treatment. Their MLCs were prepared and thereafter FIR No.0079/2020 under Section 308/34 was registered against the petitioners at P.S. Hauz quazi.

5. It is submitted that vide Compromise Deed dated 13.07.2024 both the petitioners and respondent No. 2 have already sorted out their all differences with the intervention of their respective persons of the vicinity and they have left no grudge or grievance against each other in any manner whatsoever. It is submitted that the parties are living in vicinity and the fight occurred due to some misunderstanding. It is further submitted that after the registration of the FIR, there is no acrimony between the parties and they are living peacefully. Therefore, the Petition be quashed.

6. The complainant is present in the Court and submits that the matter stands settled with all the five accused, even though two petitioners/accused



have filed the present Petition. The respondent No.2 has no objection if the FIR is quashed against the petitioners on account of the settlement already arrived at between the parties.

7. In view of the submissions made, the Petition is allowed. Accordingly, the FIR No.0079/2020 registered on 10.04.2024 at P.S. Hauz Qazi for offences punishable under Section 308/34 of the Indian Penal Code, 1860 with all the subsequent proceedings and the charge sheet is hereby quashed *qua* all the petitioners/accused persons.

8. The Petition stands disposed of.

NEENA BANSAL KRISHNA, J

JULY 24, 2024/va