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

+ **W.P.(CRL) 3193/2023**

MUKUL & ORS.

..... Petitioners

Through: Mr. Hirein Sharma and Mr. Aniket
Gupta, Advocates

versus

STATE (NCT OF DELHI) AND ANR.

..... Respondents

Through: Mr. Anand V. Khatri, ASC for the
State with SI Rajeev Kumar, P.S.
Burari.
Mr. Balaji Pathak, Advocate for
complainant.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

13.02.2024

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CRL.M.A. 29609/2023 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. The present petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C') has been filed on behalf of petitioners seeking quashing of FIR bearing no. 1234/2023, registered at Police Station Burari, Delhi for offence punishable under Sections 323/341/427/506/34 of the Indian Penal Code, 1860 ('IPC') and all other proceedings emanating therefrom.



4. Issue notice. Mr. Anand V. Khatri, learned ASC accepts notice on behalf of State.
5. All the petitioners are present before this Court and have been identified by their counsel Mr. Hirein Sharma and Investigating Officer (IO) SI Rajeev Kumar from Police Station Burari, Delhi.
6. The brief facts of the present case are that on 21.10.2023 respondent no. 2 had gone to the house of petitioner no. 2 where the respondent no. 2 had met the petitioners. During that period, an argument had broken out between the petitioners and respondent no. 2 which subsequently turned into a heated argument and a scuffle had taken place between the petitioners and respondent no. 2 in which respondent no. 2 had received minor injuries. On the complaint of respondent no. 2, the present FIR bearing no. 1234/2023 was registered against the petitioners for the offence punishable under Sections 323/341/427/506/34 of IPC. It is stated that during the pendency of the case, both the parties have amicably settled all their disputes with the intervention of community elders, respectable and well wishers of both the parties *vide* Memorandum of Understanding cum Settlement Agreement dated 27.10.2023.
7. On a query made by this Court, respondent no. 2 who has been identified by the IO, has categorically stated that he has entered into settlement out of his own free will, volition and without any coercion, pressure or threat and has no objection, if the FIR is quashed.
8. In view of the above facts that the parties have amicably resolved their differences out of their own free will, and without any coercion, no useful purpose will be served by continuing the proceedings, rather the same would create further acrimony between them. It would thus be in interest of



justice to quash the above mentioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

9. Accordingly, FIR bearing no. 1234/2023, registered at Police Station Burari, Delhi for offence punishable under Sections 323/341/427/506/34 of IPC and all consequential proceedings emanating therefrom are quashed, subject to each petitioner depositing a sum of Rs. 5,000/- with Delhi High Court Bar Association Advocates Welfare Fund within two weeks and the amount so deposited, will be used for re-furnishing and carrying out improvements in the Ladies Bar Room, Delhi High Court and compliance report of the same be filed before the Registry.

10. In view of the above, the present petition stands disposed of.

11. The order be uploaded on the website forthwith.

FEBRUARY 13, 2024/zp

SWARANA KANTA SHARMA, J

[Click here to check corrigendum, if any](#)