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

+ CRL.M.C. 5691/2024

TARUN KUMAR & ANR.

.....Petitioners

Through: Mr. Roop Kumar, Mr.Akash,
Mr.Maonj, Advs. with the petitioners

versus

THE STATE GOVT NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Satish Kumar, APP for the state
with SI Chulhand Pd. PS Bharat

Nagar, Delhi

Mr. Anshul Kumar, Mr.Bhanu Pratap,
Mr. Abhishek Kumar, Mr. Manish
Mishra, Mr.Rahul, Mr.Vipin Sagar,
Advs. with the respondent

+ CRL.M.C. 5734/2024

NARESH KUMAR & ORS.

.....Petitioners

Through: Mr. Anshul Kumar, Mr.Bhanu Pratap,
Mr. Abhishek Kumar, Mr. Manish
Mishra, Mr.Rahul, Mr.Vipin Sagar,
Advs. with the petitioners

versus

STATE NCT OF DELHI AND ORS.

.....Respondents

Through: Mr. Satish Kumar, APP for the state
with SI Chulhand Pd. PS Bharat
Nagar, Delhi with the respondent

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

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26.07.2024

CRL.M.A. 21733/2024 (Exemption) in CRL.M.C. 5691/2024

Exemption is allowed subject to all just exceptions.

CRL.M.C. 5691/2024 and CRL.M.C. 5734/2024

1. The present petitions have been filed seeking quashing of case FIR



No.83/2021 registered at PS Bharat Nagar under Sections 308/323/341/506/34 IPC in CRL.M.C. 5691/2024 and FIR No.0082/2021 registered at PS Bharat Nagar under Sections 308/323/341/354/506/509/34 IPC in CRL.M.C 5734/2024.

2. Both the counsel for the parties submit that the parties are neighbours and the incident happened at the spur of moment. It has been submitted that now the parties have reached on a settlement vide memorandum of settlement on following terms and conditions;

“1. That the First Party and the Second Party have amicably settled their disputes/differences between them, being the subject matter of the abovementioned FIR no. 82 of 2021 dated 18.02.2021 was registered under Section 308/323,341,354/506/509/34, IPC registered at police Station Bharat Nagar and now both the parties are left with no grievances, whatsoever, against each other.

2. That it has been agreed between the parties that First Party shall file a quashing petition for quashing of said FIR No. 082/2021 registered at PS. Bharat Nagar and subsequent proceedings therein before Hon'ble High Court of Delhi qua the Petitioners only and not for any other accused persons named in the FIR/charge sheet.

3. That the Second Party shall cooperate in quashing the same by appearing in the same and giving necessary statement/no objection to quash the same qua the Petitioner.

4. That the present settlement has been reached by the parties with free volition and sound disposing mind. Consent of the parties has not been obtained by force, threat, fraud or undue influence from any person whatsoever.”

3. It has also been submitted that nature of injuries suffered by the injured was simple in nature.



4. Learned counsel submits that the case FIR No.83/2021 registered at PS Bharat Nagar under Sections 308/323/341/506/34 IPC in CRL.M.C. 5691/2024 no charge under Section 354 IPC had been framed. It is matter of the record that chargesheet in FIR No.0082/2021 registered at PS Bharat Nagar under Sections 308/323/341/354/506/509/34 IPC in CRL.M.C 5734/2024 has not been filed. As both the parties are neighbours and have already settled the disputes with each other.
5. In view of the above, FIR No.83/2021 registered at PS Bharat Nagar under Sections 308/323/341/506/34 IPC in CRL.M.C. 5691/2024 and FIR No.0082/2021 registered at PS Bharat Nagar under Sections 308/323/341/354/506/509/34 IPC in CRL.M.C 5734/2024 and all the other proceedings emanating therefrom are quashed.
6. The present petition along with all the pending applications stand disposed of.

DINESH KUMAR SHARMA, J

JULY 26, 2024

Pallavi