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

+ **W.P.(CRL) 3217/2023**

KUNWAR PAL AND ANOTHER

..... Petitioners

Through: Mr. S.S. Choudhary, Adv. with
petitioners in person.

versus

THE STATE GOVT. OF NCT OF DELHI AND ORS.

..... Respondents

Through: Mr. Jasraj Singh Chhabra, Adv. for
Ms. Nandita Rao, ASC (Crl.) for
State/GNCTD with IO, P.S.
Kalyanpuri.
Mr. Mohit Bhardwaj and Ms. Rashmi
Pandey, Advs. for R-2 & R-3.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

10.01.2024

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1. The instant petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed on behalf of the petitioners seeking quashing of FIR bearing no. 50/2019, registered at Police Station Kalyanpuri, Delhi for offence punishable under Sections 308/34 of the Indian Penal Code ('IPC') and all consequential proceedings emanating therefrom.
2. Issue notice. Mr. Jasraj Singh Chhabra, learned Advocate accepts notice on behalf of the State.
3. Petitioners are present before this Court and have been identified by



their counsel Mr. S.S. Choudhary and Investigating Officer (IO) from Police Station Kalyanpuri, Delhi.

4. Brief facts of the case are that on account of some misunderstanding the dispute between the petitioners and respondent no.2 and 3 occurred which later converted into scuffle after exchange of hot talks and both the parties received injuries during quarrel, on the basis of injuries occurred on respondent no. 2 and 3. On the complaint of respondent no.2 and 3, the present FIR bearing no. 50/2019 under Sections 308/34 of Indian Penal Code, 1860 ('IPC'), PS Kalyanpuri, Delhi was registered against the petitioners. It is also stated by respondent no.2 and 3 that the entire dispute has been amicably settled between the parties vide Settlement Deed dated 22.07.2023

5. On a query made by this Court, respondent no.2 and 3 who have been identified by the IO, have categorically stated that they have entered into compromise out of their own free will and without any pressure, coercion or threat. It is also stated by respondent no.2 and 3 that the entire dispute has been amicably settled between the parties vide Settlement Deed dated 22.07.2023. It is further stated by respondent no. 2 and 3 that they have no objection if the FIR is quashed.

6. In view of the above fact that the parties have amicably resolved their differences 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 abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

7. Accordingly, FIR bearing no. 50/2019, registered at Police Station



Kalyanpuri, Delhi for offence punishable under Sections 308/34 of the IPC and all consequential proceedings emanating therefrom are quashed.

8. The present petition stands disposed of.
9. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

JANUARY 10, 2024/akc

Click here to check corrigendum, if any