



\$~1

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 8629/2023, CRL.M.A. 32224/2023**

DEEPAK KUMAR JHA

..... Petitioner

Through: Mr. V.S. Tiwari, Advocate with
petitioner in person.

versus

STATE (NCT OF DELHI) THROUGH SHO OF POLICE

STATION PRASAD NAGAR DELHI & ANR. Respondents

Through: Mr. Sanjeev Sabharwal, APP for
State.

Mr. Lajpat Rai and Mr. Tarun Kumar,
Advocates for Complainant/R-2.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

25.01.2024

%

1. The present proceedings are instituted under Section 482 Cr.P.C. on behalf of the petitioner seeking quashing of FIR No. 0064/2018 registered under Sections 307/34 IPC at Police Station Prasad Nagar, Delhi on the ground that the parties have amicably settled their disputes.
2. As per the allegations levelled in the FIR, the complainant alleged that on 02.03.2018 accused Ravi along with his accomplice caught hold of complainant and gave knife blows to the complainant as a result of which he sustained injuries.
3. Mr. Sabharwal, learned APP for the State, on instructions, submits that respondent No.2 is the only complainant/victim in the present case however, apart from present petitioner there is another accused namely Ravi, who has not been made impleaded in the present petition.



4. Learned counsel for the petitioner submits that parties have been able to reach an amicable settlement. He further submits that the main accused, namely, *Ravi* who was alleged to have inflicted knife blow to the complainant has since expired on 27.09.2023 and death certificate in this regard has also been placed on record. Learned counsel further submits that present FIR was registered on account of some trivial issue which has been settled by the parties vide Memorandum of Understanding dated 03.10.2023, a copy of which has been placed on record. It is submitted that in terms of the settlement, respondent No. 2 is now left with no claim or grievance against the petitioner.

5. At this stage, learned APP for the State, on instructions, states that the factum of death of accused *Ravi* has been verified.

6. The petitioner and respondent No.2, who are present in Court, have been identified by their respective counsel as well as the I.O.

7. The petitioner has shown remorse for his conduct and undertakes not to repeat the same in future. Respondent No. 2 also states that he has settled the disputes with the petitioner of his own free will, volition and without any coercion. He further states that he has no objection if the present FIR and consequent proceedings are quashed.

8. The parties shall remain bound by the statements made in Court today.

9. In view of the above facts and considering that no useful purpose will be served in continuance of the proceedings, it is directed that the aforesaid FIR and the consequent proceedings arising therefrom are hereby quashed, subject to payment of cost of Rs.10,000/- to be deposited by the petitioner with the Delhi State Legal Services Authority within a period of six weeks



from today. The amount so deposited shall be utilized by the DSLSA for providing counselling/psychological support to POCSO victims requiring such assistance.

10. Proof evidencing receipt of deposit shall be filed with the I.O. as well as in Court.

11. A copy of this order be communicated to the Member Secretary, DSLSA for intimation.

12. With the above directions, the petition is disposed of alongwith miscellaneous application.

13. In case the receipt of cost is not placed on record, the Registry shall list the matter before the Court.

MANOJ KUMAR OHRI, J

JANUARY 25, 2024

ga