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

+ **CRL.M.C. 9080/2023 CRL.M.A. 34060/2023**

MOHIT KUMAR AND ORS.

..... Petitioners

Through: Ms. Jyoti, Mr. Vijay Kumar and Mr.
Dinesh Singh, Advocates with
petitioners in person.

versus

STATE OF (GNCT) OF DELHI AND ANR Respondents

Through: Mr. Sanjeev Sabharwal, APP for State
with SI Brahm Prakash, PS: Sarita
Vihar, New Delhi.

Mr. Prabhash Kumar, Mr. Shiva
Singh and Ms. Richa, Advocates for
respondent Nos.2 to 4 with
respondent Nos.2 to 4 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

29.04.2024

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1. The present proceedings are instituted under Section 482 Cr.P.C. on behalf of the petitioners seeking quashing of FIR No. 294/2018 registered under Sections 323/325/341/354 (B)/427/506/509/34 IPC at Police Station Sarita Vihar, New Delhi on the ground that the parties have amicably settled their disputes.

2. As per the allegations levelled in the FIR on 27.08.2018, due to some argument related to parking, the petitioners hurled abuses and even gave beatings to the respondents as a result of which injuries were sustained.

3. Mr. Sanjeev Sabharwal, learned APP for the State, on instructions, submits that the petitioners are the only accused persons and respondent Nos.2 to 4 are the only complainants/victims in the present case. It is further



submitted that the charge has been framed.

4. Learned counsel for the petitioners submits that the petitioners and respondent Nos. 2 to 4 are relatives and present FIR was registered due to misunderstanding and with the intervention of family members and friends, parties have amicably settled their disputes vide Memorandum of Understanding dated 30.11.2023, a copy of which has been placed on record. In terms of the said settlement, complainant is now left with no claim or grievance against the petitioners.

5. The petitioners and respondent No.2, who are present in Court, have been identified by their counsel as well as the I.O./ SI Brahm Prakash, PS: Sarita Vihar, New Delhi.

6. The petitioners have shown remorse for their conduct and undertake not to repeat the same in future. Respondent Nos. 2 to 4 also state that they have entered into the aforementioned MOU out of their own free will, volition and without any coercion. They further state that they have no objection if the present FIR and consequent proceedings are quashed.

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

8. 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 cumulative cost of Rs.25,000/- out of which Rs.15,000/- to be paid to the respondent No.2 and Rs.10,000/- to be deposited by the petitioners with the Delhi State Legal Services Authority(Account No.18580110053263, UCO Bank, Branch Rouse Avenue, IFSC: UCBA0003364) within a period of two weeks from today.



The amount so deposited shall be utilized by the Delhi State Legal Services Authority for providing counselling/psychological support to POCSO victims requiring such assistance.

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

10. A copy of this order be communicated to the Member Secretary, Delhi State Legal Services Authority for intimation.

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

12. In case the proof of cost is not filed within two weeks, the IO shall be at liberty to move an appropriate application in this regard.

MANOJ KUMAR OHRI, J

APRIL 29, 2024/rd