



\$~17

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

+ **W.P.(CRL) 2612/2024**

RAJEEV YADAV ORS

.....Petitioners

Through: Mr. Aman Jwala, Mr. Devansh
Sehgal, Ms. Jyoti Verma and Mr.
Haider Khan, Advocates.

versus

THE STATE NCT OF DELHI & ANR

.....Respondents

Through: Ms. Rupali Bandhopadhyia, ASC
(Crl.) for the State with SI Vikas PS
Khyala, Delhi.
Mr. Vikas Bhatia and Ms. Pooja
Aggarwal, Advocates for respondent
no.2 with respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

09.12.2024

%

1. The present proceedings are instituted on behalf of the petitioners seeking quashing of FIR No. 0115/2024 registered under Sections 308/34 IPC and 25/27/59 Arms Act at Police Station Khyala, Delhi on the ground that the parties have amicably settled their disputes.
2. As per the allegations levelled in the FIR, the petitioners engaged in celebratory firing due to which a bullet grazed the forehead of respondent No.2.
3. Ms. Rupali Bandhopadhyia, ASC (Crl.) for the State, on instructions, submits that the petitioners are the only accused persons and respondent No. 2 is the complainant/victim in the present case. She further submits that keeping in view the nature of the offence and the fact that State machinery has been set in motion, the petitioners may be saddled with heavy costs.



4. Learned counsel for the parties submits that the present FIR was registered due to misunderstanding and with the intervention of the elders, close relatives and well-wishers, the parties have amicably settled their disputes vide Settlement Deed dated 15.03.2024, a copy whereof has been placed on record. In terms of the said settlement, respondent No. 2/complainant is now left with no claim or grievance against the petitioners. Learned counsel for the petitioners further states, upon instructions, that the weapon used in the offence will not be reclaimed.

5. The petitioners and respondent No.2, are present in the Court and are identified by their counsels as well as the Investigating Officer/ SI Vikas PS Khyala, Delhi.

6. The petitioners have shown remorse for their conduct and they undertake not to repeat the same in future. Respondent No. 2 also states that she has entered into the aforementioned settlement out of her own free will, volition and without any coercion. She further states that she has no objection if the present FIR and consequent proceedings are quashed.

7. Learned counsel for the petitioners submits that no other proceedings are pending between the parties.

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

9. In view of the above facts and since 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.1 lac to be paid by each of the petitioners, out of which Rs.1.80 lacs shall be paid to the respondent no.2/injured by way of demand draft through IO and out of the remaining amount of Rs.4.20 lacs,



Rs.2.10 lacs shall be deposited with the Delhi State Legal Services Authority (A/c No. 18580110053263, UCO Bank, Branch : Rouse Avenue, IFSC : UCBA0003364) within a period of four weeks from today which shall be utilized by the DSLSA for providing counselling/psychological support to POCSO victims requiring such assistance. The balance amount of Rs..2.10 lacs shall be deposited with 'Avlamban Fund Scheme 2024' (State Bank of India, Tis Hazari Branch, Delhi, Account No.43599660056, IFSC SBIN0000726 & MICR Code 11002126) within a period of four weeks from today.

10. Proof evidencing receipt of deposit shall be filed with the Investigating Officer.

11. With the above directions, the petition is disposed of.

12. In case proof of deposit of cost is not filed within two weeks, the IO shall be at liberty to make appropriate application before the Court.

MANOJ KUMAR OHRI, J

DECEMBER 9, 2024/rd