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

+ CRL.M.C. 9254/2024 and CRL.M.A. 35486/2024

SOHEL @ JISHAN & ANR.

.....Petitioners

Through: Mr.Bishan Pal Sharma, Advocate with
petitioners in person

versus

THE STATE GOVT. OF NCT OF DELHI & ORS.Respondents

Through: Mr. Shoaib Haider, APP for State with
SI Raghuraj
Respondent Nos.2 to 4 in person

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

27.11.2024

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1. The present petition has been filed on behalf of the petitioners seeking quashing of FIR No.440/2021 registered under Sections 326/34 IPC at P.S. Sangam Vihar, Delhi on the ground that the parties have amicably settled their disputes.
2. As per the allegations levelled in the FIR, the petitioners, on account of previous enmity, abused and gave beatings to respondent Nos. 2 to 4.
3. Learned APP for the State submits that in the present case, the chargesheet stands filed. It is further submitted that the petitioners are the only accused persons against whom the chargesheet has been filed and respondent Nos.2 to 4 are the complainants/victims. He also submits that even though the parties have entered into a compromise, considering the serious nature of the averments/allegations against the petitioners and since



the State machinery has already been put in motion, the petitioner be saddled with some costs.

4. Learned counsel for the petitioners submits that the parties have amicably settled their disputes and entered into a settlement vide Memorandum of Understanding/Settlement Deed dated 21.08.2024. In terms of the said settlement, respondent Nos.2 to 4 are now left with no claims or grievances whatsoever against the petitioners. It is also submitted that there is cross FIR bearing FIR No.437/2021 registered under Sections 307/34 IPC at P.S. Sangam Vihar, Delhi, which is pending between the parties and the petitioners undertake to appear and cooperate in quashing of the same.

5. The petitioners, who are present in Court, have been identified by their counsel as well as by the concerned Investigating Officer. Respondent Nos.2 to 4, who are also present in Court, have been identified by the concerned Investigating Officer.

6. The petitioners have shown remorse for their conduct and they undertake not to repeat the same in future. Respondent Nos.2 to 4 state that they have entered into the aforesaid Memorandum of Understanding/Settlement Deed 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 and undertakings made in Court today.

8. In view of the above facts and since no useful purpose will be served in continuance of the present criminal 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/- by each petitioner to be



deposited with the Delhi State Legal Services Authority (A/c No.: 18580110053263, Bank: UCO BANK, Branch: Rouse Avenue, IFSC: UCBA0003364) within a period of four 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. In case the receipt of payment of cost is not filed within the stipulated time, the I.O. shall be at liberty to move an appropriate application.

10. With the above directions, the petition is disposed of alongwith the pending application.

11. Let a copy of this order be communicated to the Member Secretary, Delhi State Legal Services Authority for information.

MANOJ KUMAR OHRI, J

NOVEMBER 27, 2024

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