
(2011) 12 DEL CK 0177
In the Delhi High Court
Case No : Criminal M.C. 4133 of 2011

Iftkhar @ Raju and Another

APPELLANT

Vs

State and Another

RESPONDENT

Date of Decision : 13-12-2011

Acts Referred:

Penal Code, 1860 (IPC) — Section 324, 326, 34

Citation : (2011) 12 DEL CK 0177

Hon'ble Judges : Suresh Kait, J

Bench : Single Bench

Advocate : Abdul Salam, for the Appellant; Navin Sharma, APP for State
Respondent No. 2 in Person, for the Respondent

Final Decision : Allowed

Judgement

Suresh Kait, J.

Crl. M.A. 19205/2011

Exemption is allowed subject to just exceptions.

Criminal M.A. stands disposed of.

Crl. M.C. 4133/2011

1. Notice.

2. Ld. APP accepts notice behalf of the State / R1.

3. Ld. Counsel for the petitioner submits that vide FIR No. 251 dated 11.06.2004, case u/s 324/326/34 Indian Penal Code, 1860 was registered at PS-Gokal Puri against the petitioners on the complaint of respondent no. 2.

4. He further submitted that vide compromise deed dated 11.11.2011, compromise has arrived at between the petitioners and respondent no. 2, who settled all the issues qua the aforesaid FIR. He does not want to pursue the case

further. Therefore the present FIR and the emanating proceedings thereto may be quashed.

5. Respondent no. 2 is personally present in the Court, who has produced his Voter I-Card bearing no. XCN0958876 issued by Election Commission of India. Photocopy of the same is at page 33, original seen and returned to respondent no. 2.

6. Respondent no. 2 submits that vide Compromise Deed dated 11.11.2011 the matter has been resolved with the petitioners and he is no more interested to pursue the matter and if the present FIR is quashed, he has no objection.

7. On the other hand, Id. APP submits that chargesheet has been filed. Charges are yet to be framed. The petitioners caused grievous injury on respondent no.2, which is serious in nature.

8. Ld. APP further submits that if this Court is inclined to quash the FIR, heavy costs should be imposed on the petitioner, so that they would not repeat same type of act in future.

9. Keeping the Compromise Deed dated 11.11.2011 into view petitioners and respondent no. 2 have become good friends due to the intervention of the community people and friends and they want to live in a brotherhood.

10. In the interest of justice and to maintain the harmony, I quash the aforesaid FIR No.251/2004, PS-Gokal Puri with emanating proceedings thereto.

11. However, I found force in the submission of Id. APP for State. Ld. Counsel for petitioners on instructions from petitioners submitted that they wish to donate Rs.10,000/- each for the welfare purposes.

12. Accordingly, I direct the petitioners to pay the said amount of Rs.20,000/- in favour of Delhi Police Welfare Fund, PHQ, I.P. Estate, New Delhi within 2 weeks from today. Proof of the same shall be placed on record.

13. Crl. M.C. 4133/2011 is accordingly allowed on the above terms.