
(2020) 01 DEL CK 0235

In the Delhi High Court

Case No : Criminal Miscellaneous Case No. 291 Of 2020

Paras Kumar & Ors

APPELLANT

Vs

State & Ors

RESPONDENT

Date of Decision : 21-01-2020

Acts Referred:

Citation : (2020) 01 DEL CK 0235

Hon'ble Judges : Suresh Kumar Kait, J

Bench : Single Bench

Advocate : Anjum Kumar, Nariman Thakkar, Vivek Malhotra, Izhar Ahmed

Final Decision : Allowed

Judgement

Suresh Kumar Kait, J

CRL.M.A. 1237/2020

1. Allowed, subject to all just exceptions.

2. Application is disposed of.

CRL.M.C. 291/2020

3. Vide the present petition, the petitioners seek direction thereby quashing of FIR No. 170 dated 22.05.2019, registered at Police Station Keshav Puram and all other proceedings emanating therefrom.

4. Notice issued.

5. Notice is accepted by learned APP.

6. With the consent of the counsel for the parties, the present petition is taken up for final disposal.

7. The present petition is filed on the ground that the parties have settled their disputes and the respondent nos. 2 to 5 have no objection if the present petition

is allowed.

8. Respondent nos. 2 to 5 are personally present in Court and they have been identified by SI Sunil Kumar/IO and submits that matter has been settled and they do not wish to prosecute the matter any further.

9. The petitioners and respondent nos. 2 to 5 have entered into an amicable settlement vide memorandum of settlement dated 11.07.2019.

10. Learned counsel for petitioners have handed over DD No. 171475 dated 20.01.2020 for an amount of Rs. 2,50,000/- (Rupees Two Lakh Fifty thousand Only) to respondent no.2, DD No. 171476 dated 20.01.2020 for an amount of Rs. 1,50,000/- (Rupees One Lakh Fifty Thousand Only) to respondent no.3, DD No. 171477 dated 20.01.2020 for an amount of Rs. 2,00,000/- (Rupees Two Lakh Only) to respondent no.4 and DD No. 171474 dated 20.01.2020 for an amount of Rs. 1,50,000/- (Rupees One Lakh Fifty thousand Only) to respondent no.5 today in court who are all present in Court.

11. Learned APP appearing on behalf of State has opposed the present application and submits that two precious young life, aged about 30 years and 35 years, have been lost in the incident. Respondent no.2 and respondent no.4 are the widows of deceased persons. They belong to poor strata of the family and they have no source of income and have two minor children. However, he submits that if this Court is inclined to quash the FIR, the compensation amount may be increased.

12. Learned counsel appearing on behalf of petitioners on instructions from the petitioners who are present in Court has agreed to pay an amount of Rs. 5 lacs each in the name of respondent no.2 and respondent no.4 who are the widows of late Sh. Bahabal Khan and late Sh. Mobeen Khan respectively.

13. In view of the settlement arrived at between the parties, I hereby quash the FIR with emanating proceedings thereto.

14. Accordingly, the petitioners are directed to pay an amount of Rs. 5 lacs each in favour of respondent no.2 and respondent no.4, widows of deceased within one week from today.

15. The receipt of the same shall be furnished by the petitioners to the IO concerned.

16. Taking into account the aforesaid facts, this Court is inclined to quash the FIR as no useful purpose would be served in prosecuting the petitioners any further.

17. For the reasons afore-recorded, the FIR No. 170 dated 22.05.2019, registered at Police Station Keshav Puram and consequent proceedings therefrom are quashed.

18. The petition is allowed and disposed of accordingly.

19. Order dasti under signatures of the Court Master.