

(2020) 08 DEL CK 0178

In the Delhi High Court

Case No : Criminal Miscellaneous Case No. 1675 Of 202

Vikas @ Vicky@ Bobby & Ors

APPELLANT

Vs

State Of NCT Of Delhi & Anr

RESPONDENT

Date of Decision : 21-08-2020

Acts Referred:

Citation : (2020) 08 DEL CK 0178

Hon'ble Judges : Suresh Kumar Kait, J

Bench : Single Bench

Advocate : Kaushal Thakur, Izhar Ahmed

Final Decision : Allowed

Judgement

Suresh Kumar Kait, J

CRL. M.A. 11347/2020 (exemption)

1. Allowed, subject to all just exceptions.

2. Application is disposed of.

CRL.M.C.1675/2020

3. Vide the present petition, petitioners seek direction thereby for quashing of FIR No. 1186/2016 dated 27.12.2016, registered at PS - Mangolpuri, Delhi and all other proceedings arising there from.

4. Notice issued.

5. Notice is accepted by learned APP for State and by respondent No.2 who is present in the Court through video conferencing and with the consent of counsel for parties, the present petition is taken up for final disposal.

6. The present petition is filed on the ground that parties have settled their disputes and respondent No.2 has no objection if the present petition is allowed.

7. Respondent No.2 is present in Court has been identified by IO/SI Sandeep and submits that matter has been settled. Respondent No.2 further submits that in view of settlement arrived at between the parties, as they are cousins staying in the same locality and he has received a sum of Rs.30,000/-as compensation, he does not wish to prosecute the matter any further.

8. Petitioners and respondent No.2 have entered into an amicable settlement vide MoU/Compromise Deed/Settlement Deed dated 02.07.2020.

9. Learned APP for the State has opposed the present petition by submitting that the petitioners have caused severe injuries to the respondent No.2 due to which he was unable to carry on with his professional work for almost a month and also due to the registration of present FIR, government machinery came in motion and a lot of precious public time has been consumed, therefore, if this Court is inclined to quash FIR, heavy cost may be imposed upon petitioners.

10. Learned counsel for petitioners, on instructions from petitioners, who are present in Court, has come forward and agreed to contribute some more amount towards compensation as well as for welfare purposes. Accordingly, petitioners are directed to pay this amount in the following manner:-

(a) Petitioner No.1 is directed to pay an amount of Rs.25,000/- in favour of respondent No.2.

(b) Petitioner Nos.2 and 3 are directed to pay an amount of Rs.15,000/-each in favour of Delhi High Court Legal Services Committee.

(c) Since the petitioner No.4 works as a labourer, no cost is imposed upon him.

11. Petitioners are directed to pay this amount within two weeks and receipt of the same shall be furnished to IO concerned.

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

13. For the reasons afore-recorded, FIR No. 1186/2016 dated 27.12.2016, registered at PS - Mangolpuri, Delhi and consequent proceedings emanating therefrom are quashed.

14. The petition is, accordingly, allowed and disposed of.

15. The order be uploaded on the website forthwith. Copy of the order be also forwarded to the learned counsel through email.