

Pankaj Aggarwal And Others vs The State And Others on 18 May, 2022

Author: Sudhir Kumar Jain

Bench: Sudhir Kumar Jain

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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(CRL) 1147/2022

PANKAJ AGGARWAL AND OTHERS

Through: Ms. Sudesh Kumari J., M
Sharma, Mr. D. Varun, A
P-1, 2 and 3.

versus

THE STATE AND OTHERS

Through: Ms. Kamna Vohra, ASC fo
SI Pushpendra Pandey, P
Puri
Mr. Narveer Dabas, Advo

CORAM:

HON'BLE MR. JUSTICE SUDHIR KUMAR JAIN
ORDER

% 18.05.2022 CRL.M.A.9684/2022 (exemption)

1. The petitioner is seeking exemption from filing the requisite certified copies.
2. The application is allowed with a direction to the petitioner to file requisite certified copies. The application is accordingly disposed of. W.P.(CRL) 1147/2022
3. The present petition has been preferred under article 226 of the constitution of India read with section 482 Cr. P. C. seeking direction for quashing of FIR bearing No.236/2022 under sections 323/341/354/506/509/326/427/34 IPC, P.S. Jagat Puri, Delhi and the entire proceedings emanating therefrom.
4. The present FIR bearing no. 236/2022 dated 31.03.2022 was got registered at P.S. Jagat Puri, Delhi under sections 323/341/354/506/509/326/427/34, IPC on the complaint made by the respondent no.2/complainant Hema Sharma regarding the incident which happened on 30.03.2022 at about 1:30 P.M. The charge sheet in the present case has not been filed.
5. The respondent no.2/complainant alongwith her handicapped husband and son was going to the Doctor and they had an altercation with the petitioner. The cross FIR bearing No. 232/2022 was

also filed at P.S Jagat Puri, Delhi under sections 323/341/506/509/427/34 IPC.

6. It is stated by the counsel for the parties that the concerned parties have settled amicably their disputes and the respondent no.2/complainant does not want to pursue the present FIR. It is also stated that the contesting parties are residing in the same locality and now they want to enjoy peace and harmony in their relationship.

7. The Additional Standing Counsel stated that injured Harish Sharma is not impleaded one of the petitioners, and also received the injury in the left eye.

8. The Investigating Officer who is present in Court produced the medical report in respect of injured Harish Sharma dated 01.04.2022 prepared by Dr. Shroff's Charity Eye Hospital, 5027, Kedar Nath Road, Darya Ganj, New Delhi-110002 and as per the medical report, Harish Sharma received simple injury on the left eye. The injured Harish Sharma, who is also present in Court stated that concerned parties have amicably settled their disputes and he does not have any objection if the present FIR is allowed to be quashed.

9. In view of these facts, the objections taken by the Additional Standing Counsel that the injured Harish Sharma is not impleaded as a necessary party is without much legal force. The petitioners are directed to file the amended memo of parties for the information of the concerned investigating officer.

10. After considering all facts, FIR bearing no. 236/2022 dated 31.03.2022 under Sections 323/341/354/506/509/326/427/34 IPC registered at P.S. Jagat Puri alongwith all consequential proceedings is quashed.

11. The present petition alongwith pending application, if any, stands disposed of.

SUDHIR KUMAR JAIN, J MAY 18, 2022/j