

ITEM NO.48

COURT NO.4

SECTION IIC

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

PETITION(S) FOR SPECIAL LEAVE TO APPEAL (CRL.) NO(S).  
8922-8923/2015

(ARISING OUT OF IMPUGNED FINAL JUDGMENT AND ORDER DATED 25/03/2015  
IN CRLMC NO. 345/2015 AND CRLMA NO. 1369/2015 PASSED BY THE HIGH  
COURT OF DELHI AT NEW DELHI)

SITARO &amp; ORS.

PETITIONER(S)

VERSUS

STATE ( GOVT. OF NCT OF DELHI) &amp; ANR.

RESPONDENT(S)

Date : 05/01/2017 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI  
HON'BLE MR. JUSTICE ASHOK BHUSHAN

For Petitioner(s)

Mr. S.K. Gandhi, Adv.  
Mr. Rajendra Singh, Adv.  
Mr. T. R. B. Sivakumar, Adv.

For Respondent(s)

Ms. Jyoti, Adv.  
Mr. Roshan Chapagain, Adv.  
Mr. Pranaya Kumar Mohapatra, Adv.  
Mr. Binay Kumar Das, Adv.  
  
Mr. Tushar Mehta, ASG  
Ms. Sushma Manchanda, Adv.  
Ms. Jyotika Kalra, Adv.  
Mr. Gopal Shankar Narayan, Adv.  
Mr. Raghvendra Singh Parihar, Adv.  
Mr. B.K. Prasad, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

Leave granted.

The appeals are allowed in terms of the signed  
order.

[VINOD LAKHINA]  
COURT MASTER

[ASHA SONI]  
COURT MASTER

[SIGNED ORDER IS PLACED ON THE FILE]

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.34-35 OF 2017  
[Arising out of Special Leave Petition  
(Criminal) No.8922-8923/2015]

SITARO & ORS. . . . APPELLANTS

VERSUS

STATE ( GOVT. OF NCT OF DELHI)  
& ANR. . . . RESPONDENTS

ORDER

1. Leave granted.
2. The challenge in the present appeals is against the order of the High Court dated 25<sup>th</sup> March, 2015 by which the criminal proceedings against the accused appellants have been refused to be quashed.
3. The reason for such refusal as evident from the order of the High Court is that the trial of the case is at an

advanced stage. Notwithstanding the above, we are told at the bar that the case has not been finally decided til date.

4. The matter has been compromised on payment of compensation of Rs.3,00,000/- (Rupees Three lakh), a fact which is not disputed by the learned counsel appearing for the respondent No.2 - complainant. The offence alleged is under Section 323/326/341/34 IPC.

5. Taking into account the nature of the offence alleged; period of time that has elapsed; and that the matter has been settled by and between the parties on payment of compensation of Rs.3 lakh, we are of the view that the order of the High Court should be interfered with by this Court which we hereby do. We, therefore, allow the appeals; set aside the order of the High Court and quash the proceedings arising out of FIR No.485/2006 under

Sections 323/326/341/34 IPC registered at  
Police Station Model Town, Delhi as against  
the accused appellants.

.....,J.  
(RANJAN GOGOI)

.....,J.  
(ASHOK BHUSHAN)

NEW DELHI  
JANUARY 05, 2017