

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.M.C. 1777/2008

TAJBIR SINGH & ANR Petitioner
Through Mr. M.K. Sharma, Adv.

versus

STATE & ORS Respondent
Through Mr. M.P. Singh, APP
Mr. Gaurav Gaur, Adv. for R-2,3 & 4.
Complainants in person.

CORAM:
HON'BLE MS. JUSTICE ARUNA SURESH

% **ORDER**
26.05.2008

Crl.M.A. No. 6527/2008 (exemption)

Exemption allowed subject to all just exceptions.

Application stands disposed of accordingly.

CRL.M.C. 1777/2008

Notice. Mr. M.P.Singh, APP accepts notice on behalf of the State.

Parties are present in person.

A quarrel had taken place between complainant Jasbir Singh and accused Tajbir, Rambir Singh as well as Jile Singh in the street on 17.6.1995 at about 5.00 AM. Accused Tajbir Singh was allegedly armed with iron pipe and Rambir was having hockey in his hands whereas Jile Sing was having a Jaili. All the three attacked the complainant on the pretext that he was siding with one Lakhmi and he should therefore be killed. Injured received

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injuries on his head and he raised alarm and ran inside the house of his brother Mahinder where Mahinder and his wife were beaten up and they also received injuries. On this complaint FIR No. 196/1995 was registered at Police Station Narela. Now after about 13 years, the case is still pending trial in the court of Ms. Smita Garg, MM, Delhi and one of the injured Nirmala is yet to be examined whereas other two injured have been examined by the court. Trial is still going on and four-five witnesses are yet to be examined including one of the injured.

Under these circumstances when the parties are related to each other, it is in the interest of justice and to keep harmony between the families that the petition is allowed specially when the trial has taken 13 years to conclude and its fate is still not known.

Hence, FIR No. 196/1995 under Sections 452/506/323/34 IPC Police Station Narela is hereby quashed, subject to the parties depositing a sum of Rs. 10,000/- each (Rs. 20,000/-) in the Delhi High Court Mediation and Conciliation Centre within one week.

Attested copy of the order be sent to the trial court as well as to the State.



ARUNA SURESH,J

MAY 26, 2008
jk