

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

+ **CRL.M.C.No.2615/2008**

% **Date of Decision: 29.08.2008**

Munish Tyagi & Others Petitioners
Through Dr. Vijendra Mahandiya, Advocate for
petitioners along with petitioners in person.

Versus

State of NCT of Delhi & Another Respondents
Through Mr.Amit Sharma, APP for the State along with
SI Suresh Chand.
Respondent No.2 in person.

CORAM:
HON'BLE MR. JUSTICE ANIL KUMAR

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| 1. | Whether reporters of Local papers may be allowed to see the judgment? | YES |
| 2. | To be referred to the reporter or not? | NO |
| 3. | Whether the judgment should be reported in the Digest? | NO |

ANIL KUMAR, J.

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Crl.M.A.No.9659/2008

Allowed, subject to just exceptions.

The application is disposed of.

CRL.M.C.No.2615/2008

Issue notice to respondents. Mr.Sharma accepts notice on behalf of State and Mr.Dinesh Tyagi, respondent No.2, who is present in person, accepts notice. Learned counsel for the petitioners contends

that the disputes between the parties had been settled and the settlement has been reduced into writing which is signed by the petitioners and respondent No.2. Under the settlement respondent No.2 has agreed not to press his complaint pursuant to which FIR No.136/2007 dated 05.03.2007 under Sections 452/323/506/34 of Indian Penal Code was registered at Police Station Narela. It is contended that no useful purpose shall be served, in the facts and circumstances, to continue with the proceedings of above-said FIR.

Let the statement of respondent No.2 be recorded.

Statement of respondent No.2 has been recorded who has been identified by the counsel for petitioners. The respondent No.2 has deposed that he does not wish to continue with the proceedings pursuant to above-said FIR.

In the facts and circumstances, it is apparent that no useful purpose shall be served in continuing with the proceedings pursuant to FIR No.136/2007 dated 05.03.2007 under Sections 452/323/506/34 of Indian Penal Code registered at Police Station Narela against the petitioners. It shall also be in the interest of justice to quash the above-said FIR and all the proceedings emanating therefrom. Learned Additional Public Prosecutor, Mr.Sharma, has also no objection to quashing of the said FIR and all the proceedings emanating therefrom.

In the totality of facts and circumstances, FIR No.136/2007 dated 05.03.2007 under Sections 452/323/506/34 of Indian Penal Code registered at Police Station Narela and all the proceedings emanating therefrom against the petitioners are quashed.

The petition is disposed of.

Dasti.

August 29, 2008

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ANIL KUMAR, J.