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

+ CRL.M.C. 2309/2012

NARESH KUMAR @ BABLI & ORS

..... Petitioners

Through Mr. S.N. Gupta, Adv.

versus

STATE & ANR

..... Respondents

Through Mr. Navin Sharma, APP for the State.
SI Rajbir Singh, P.S. Vasant Kunj
South

AND

+ CRL.M.C. 2310/2012

HARISH & ORS

..... Petitioners

Through Mr. Pankaj Mendiratta, Mr. Tarun
Gomber, Mr. Gaurav Goswami and
Mr. Jitender Gomber, Adv.

versus

STATE & ANR

..... Respondent

Through Mr. Navin Sharma, APP for the State.
SI Rajbir Singh, P.S. Vasant Kunj
South

CORAM:

HON'BLE MR. JUSTICE KAILASH GAMBHIR

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the physical file and no page is missing.

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% **ORDER**
22.05.2013

By this order I propose to dispose of two separate petitions filed by the petitioners who are accused in FIR No. 448/07 and FIR No. 450/07. CrI.M.C. No. 2309/2012 has been preferred by the petitioners who are accused in FIR No. 448/07 registered under Sections 307/34 IPC at PS Vasant Kunj and CrI.M.C. No. 2310/2012 is preferred by the petitioners who are accused in FIR No. 450/07 registered under Sections 341/324/34 IPC at PS Vasant Kunj.

In both the petitions the petitioners are praying for quashing of said FIRs based on the settlement having arrived at between them. Both the parties are present in Court except Satinder who is accused in FIR No. 450/07. At the oral request of counsel for the petitioners, Mr. Satinder, who is accused in FIR No.450/07, is exempted from his personal appearance. Counsel appearing for the parties submit that both the parties have amicably settled their disputes in terms of the deed of compromise dated 14th January, 2013. Counsel for the parties also submit that both the parties are related to each other besides being neighbours. Counsel for the parties submit that in view of the settlement, both the parties have taken a decision not to indulge into any such kind of fight in future and maintain complete peace and

harmony in the vicinity where they are residing.

Based on the above submissions, counsel for the parties pray that this Court may quash both the said FIRs which have arisen out of the same incident.

Mr. Navin Sharma, APP for the State submits that there are serious allegations against Mr. Naresh Kumar who is accused in FIR No. 448/07 as he attacked the complainant with a knife and similarly there are serious allegations against Mr. Satinder, who is accused in FIR No. 450/07.

Heard.

Taking into consideration the said settlement having arrived at between the parties and that both the parties are neighbours and are in fact close relatives, this Court is of the view that no useful purpose would be served in keeping the said FIRs and the proceedings arising therefrom unnecessarily alive any further against the petitioners. Consequently, FIR No. 448/07 registered under Sections 307/34 IPC at PS Vasant Kunj and FIR No. 450/07 registered under Sections 341/324/34 IPC at PS Vasant Kunj and the criminal proceedings arising therefrom are hereby quashed. However, the aforesaid quashing qua Naresh Kumar and Satinder is subject to deposit of costs of Rs. 10,000/- by each with the Saket Bar Association

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within a period of three weeks from the date of this order.

The present petitions stand disposed of accordingly.



KAILASH GAMBHIR, J

MAY 22, 2013
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