

IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision: 04.08.2015

W.P.(CRL) 687/2014

MANOJ KUMAR @ TONA & ANR

..... Petitioners

Through Mr.Nitin Sehgal, Advocate.

versus

THE STATE & OTHERS

..... Respondents

Through Mr. Rahul Mehra, Standing Counsel
(Crl.),

Mr.Amrit Singh and Mr. Jamal Akhtar, Advocates
for the State.

ASI Leela Ram, P.S. Jaffar Pur Kalan.

SIDDHARTH MRIDUL, J (ORAL)

Present is a petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973, praying for quashing of F.I.R. No.46/2014 dated 15th March, 2014,

under Section 394/341/34 IPC, registered at Police Station - Jaffar Pur Kalan and the proceedings arising therefrom.

The facts in brief are that the respondent No. 2/complainant filed a complaint against the petitioners on the allegations that when the former was travelling on his RTV, the petitioner No.1, who is the driver of another RTV obstructed his vehicle. It is further alleged that when the respondent No.2/complainant and his wife, respondent No.3, requested the petitioner No.1 to remove his vehicle, the latter hit the complainant with an iron rod on various parts of his body. It is lastly alleged that the petitioner No.1 thereafter snatched the mobile phone of respondent No.2/complainant, gold chain of respondent No.3/wife of the complainant, as well as Rs.4500/- from the pocket of respondent No.2/complainant and fled from the spot. With the intervention of common friends and respectable elders of the village in which the parties reside a compromise has been arrived at. A copy of the same is annexed to the present order and marked as exhibit C-1. Pursuant to the said settlement dated 29th March, 2014, the respondents have received a sum of Rs.65000/- (rupees sixty five thousand).

In view of the above, it is prayed that the subject F.I.R. and the proceedings arising therefrom be quashed qua the petitioners.

Since the parties to the dispute have arrived at an amicable settlement without any undue influence, pressure or coercion, no useful purpose shall be served by proceeding with the subject F.I.R. and proceedings arising therefrom.

In the circumstances, the subject F.I.R. No.46/2014, dated 15th March, 2014, under Section 394/341/34 IPC, registered at Police Station Jaffar Pur Kalan and the proceedings arising therefrom are thereby set-aside and quashed qua the petitioners.

Before parting with the case, it is hoped and expected that the petitioners herein shall not conduct themselves in a manner so as to endanger the lives of others including the respondents herein.

With the above directions the writ petition is disposed of.

SIDDHARTH MRIDUL, J

AUGUST 04, 2015
bp