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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(CRL) 633/2015
AVTAR SINGH & ANR

..... Petitioner

Through Mr.R.S.Malik, Adv.
versus

THE STATE (GOVT OF NCT OF DELHI) & ORS

..... Respondent

Through Mr.Rajesh Mahajan, ASC.
Mr.S.Qureshi, for R-2 to 4.

CORAM:
HON'BLE MR. JUSTICE A.K. PATHAK

ORDER
% **28.04.2015**

Petitioner no.1 is friend of petitioner no.2. Respondent nos.2 to 4 are neighbours of petitioners. FIR has been lodged on the statement of respondent no.2. It is alleged therein that car of Vaibhav collided with the car of respondent no.2 which resulted into a verbal altercation between them on 10th April, 2013. On 12th April, 2013, at about 8.p.m. respondent no.2 was standing near the dispensary of D-Block along with respondent nos.3 and 4 when petitioners came there in a car and started abusing them. Thereafter, petitioner no.1 took out a weapon from his pocket and fired towards them.

No injuries have been sustained by the respondent nos.2 to 4 as per the MLCs, inasmuch as, as per the MLCs history of assault has been

mentioned “physical assault” and not the firing.

Petitioners and respondent nos.2 to 4 submit that they have now amicably settled their disputes being neighbours and that they want to maintain harmonious relations in future. Terms of settlement have been recorded in the Compromise Deed dated 21st March, 2015.

Petitioners and respondent nos.2 to 4 are present in court today along with their counsel and state that they have no objection in case FIR is quashed in view of the settlement. Learned Additional Standing Counsel submits that investigation is complete and charge-sheet has been filed, but case has yet not been committed to the Sessions Court.

In *Narinder Singh & Ors. Vs. State of Punjab & Anr.* III(2014) SLT 441, Supreme Court has held that FIR under Section 307 IPC can be quashed in view of the compromise arrived at between the accused and complainant. It has been further observed that if the settlement is arrived at immediately after the alleged commission of offence when the matter is still under investigation, the High Court may be somewhat liberal in accepting the settlement and quashing the proceedings/investigation. Before framing of charge also High Court may quash the FIR keeping in mind the nature of injuries and adverting circumstances.

Since petitioners and respondent nos.2 to 4 are known to each other being neighbours and want to maintain harmonious relation, inasmuch as complainant party has not sustained any injury, in my view, no fruitful purpose would be served in keeping the present FIR pending. Accordingly, in the interest of justice, FIR No.111/2013 under Sections 307/34 IPC registered at police station Ashok Vihar and the consequent proceedings emanating therefrom are quashed, subject to cost of ₹50,000/- each to be deposited with the Prime Minister's Relief Fund within two weeks. Receipts be filed in the Registry and copies thereof be given to the Investigating Officer.

Writ petition is disposed of in the above terms.

Dasti.

A.K. PATHAK, J

APRIL 28, 2015

ps