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

+ W.P.(CRL) 1597/2015

MANNU & ORS Petitioners

Through: Mr.Anurag Jain, Advocate.

versus

STATE (GOVT OF NCT OF DELHI) Respondent

Through: Mr.Sanjay Lao, ASC.

SI Sumit Kumar, Spl.Staff/E.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

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02.09.2015

The petitioners seek quashing of FIR No.378/2015 (P.S.Krishna Nagar) dated 13.05.2015 instituted for offences under Sections 392/394/506/34 of the IPC.

Pursuant to the notice issued by this Court, respondent No.2 has appeared in person.

The quashing of the FIR is sought on the ground that with the intervention of well wishers, the dispute between the petitioners and respondent No.2 has been settled. A compromise deed dated 10.7.2015 has also been brought on record, in support of such contention. The allegations in the FIR are of a flimsy nature. The petitioners and the respondent are known to each other from before and the allegations do not contain the requisite ingredients for attracting the mischief of Sections 392/394/506 and 34 of the IPC.

Mr.Sanjay Lao, learned Additional Standing Counsel, with reference to the status report, has submitted that apart from the present case, two other cases were lodged against the petitioners. FIR No.9/12 was instituted in the year 2012 for the offence 324/307/34 of the IPC, in which the petitioners have been acquitted. Another case which was lodged in the year 2013 under Section 392/397 and 34 of the IPC (P.S.Krishna Nagar) is pending trial in the Court. It has been submitted that the petitioners are habitual offenders.

However, considering the fact that the present FIR does not disclose the offence of such nature which would attract the mischief of the offence of robbery and the petitioners and the respondent have settled their differences, this Court is inclined to quash the FIR No.378/2015 (P.S.Krishna Nagar) and the proceedings emanating therefrom.

On the basis of afore-recorded facts, FIR No.378/2015 is quashed. All proceedings arising pursuant to such FIR are also quashed.

The petition is allowed.

ASHUTOSH KUMAR, J

SEPTEMBER 02, 2015

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