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

+ W.P.(CRL) 1594/2015

IBRAT ALI @ BHURE & ANR Petitioner
Through: Mr.Anurag Jain, Advocate.

versus

STATE (GOVT OF NCT OF DELHI) Respondent
Through: Ms.Nandita Rao, ASC.
SI Sumit Kumar, Spl.Staff/E.

CORAM:
HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **02.09.2015**

By the present petition, the petitioners seek quashing of FIR No.374/2015 (P.S.Krishna Nagar) dated 11.5.2015 instituted for the offences under Sections 392/394 and 34 of the IPC.

Respondent No.2 has alleged that the petitioner and his friend waylaid him on 10.5.2015 in the night and the petitioner No.1 took away Rs.600/- from his pocket and also assaulted him by a pointed substance. A report thereafter was lodged leading to the registration of the FIR.

It has been submitted on behalf of the petitioners that the case was compounded though the sections in which the FIR was registered would not fall in the list of offences mentioned under Section 320 of the Code of Criminal Procedure. The aforesaid compromise was arrived at before the DCP.

The respondent No.2 who has been noticed has also appeared. He states that the case was lodged by him in confusion.

The allegations levelled in the first information report are of a petty nature. It is submitted that the petitioners and respondent are related to each other. For some dispute in the past, a lame pretext was taken by respondent No.2 to file a case. In fact, as stated, there was some scuffle in which the respondent No.2 lost his money and also received some minor injuries.

Be that as it may, since the nature of accusation in the first information report is such that it does not make out any case under Sections 392/394 of the IPC (P.S.Krishna Nagar), this Court is inclined to quash the first information report.

Considering the afore-recorded facts, the FIR No.374/2015 and all the proceedings emanating therefrom are quashed.

The petition is allowed.

ASHUTOSH KUMAR, J

SEPTEMBER 02, 2015

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