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

+ W.P.(CRL) 2063/2015

ROKENDER @ LOKENDER

..... Petitioner

Through Mr.Vinay Kr. Sharma & Mr.Udham
Singh, Advs.

versus

STATE (NCT OF DELHI) & ORS Respondents

Through Ms.Richa Kapoor, ASC with
Mr.Ashish Negi & Mr.Rohit Kaul,
Advs.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **18.09.2015**

Crl.M.A.13729/2015

Exemption granted subject to all just exceptions.

Application stands disposed of.

W.P.(Crl.)2063/2015

The petitioner seeks quashing of the FIR No.645/2014 (PS Dabri) dated 13.08.2014 instituted for offences under Sections 506 of the IPC and Section 27 of the Arms Act.

The respondent no.2 (the complainant) lodged a case alleging that the petitioner took out a gun like weapon from beneath of his clothes and pointed it towards his ears. Because of the intervention of one Dinesh Chaudhary, who was present at the place of occurrence, the respondent no.2

could be saved.

It was further alleged by respondent no.2 that while leaving the place of occurrence, the petitioner threatened him of dire consequences.

It is submitted on behalf of the petitioner that there was some verbal squabble between the parties and in fact the petitioner had only taken out his cigarette lighter for lighting his cigarette. It was misunderstood by the informant as a weapon for threatening him.

Considering the trivial nature of the offence and with the intervention of well-wishers of the parties, a settlement was arrived at between the petitioner and respondent no.2. They have decided to amicably settle the matter and not prosecute the case any further. It is further submitted that no weapon was recovered, pursuant to the First Information Report.

It is further submitted on behalf of the State that the petitioner, after lodging FIR was granted bail, considering the frivolous nature of the accusation.

Taking into account the fact that there is no dispute which is left to be adjudicated between the parties, no useful purpose would be served in allowing this FIR to be investigated any further.

In the absence of any weapon having been recovered and an explanation forthcoming that it was a cigarette lighter which was taken to be a gun like weapon, this Court is inclined to quash the subject FIR.

On the basis of aforesaid premised reasons, the subject FIR namely FIR No.645/2014 (PS Dabri), dated 13.08.2014 and all the emanating proceedings thereof are hereby quashed.

The petition is disposed of.

SEPTEMBER 18, 2015/ab

ASHUTOSH KUMAR, J