

#24

IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision: 14.10.2015

W.P.(CRL) 2317/2015

MANISH & ORS

..... Petitioners

Through: Mr. Rajiv Bajaj, Advocate

versus

STATE (GOVT OF NCT OF DELHI) & ANR Respondents

Through: Ms. Nandita Rao, ASC (Criminal)
with Ms. Srilina Roy, Advocate and
SI Abhishek Kumar, PS- Prasad
Nagar, Delhi for R-1
Respondent No.2/Complainant in
person

CORAM:

HON'BLE MR JUSTICE SIDDHARTH MRIDUL

SIDDHARTH MRIDUL, J (ORAL)

CRL.M.A.15233/2015 (Exemption)

Exemption granted subject to all just exceptions.

The application is disposed of accordingly.

W.P.(CRL) 2317/2015

1. The present is a petition under article 226 of the Constitution of India read with section 482 of the Code of Criminal Procedure, 1973 (Cr.P.C.) praying for quashing of FIR No.501/2015, under sections 394/34 IPC, registered at Police Station- Prasad Nagar, Delhi and the proceedings arising therefrom.

2. Briefly encapsulated the facts are that the complainant, who is a tailor by profession, alleged that the petitioner forcibly broke into his premises and removed certain articles. On the basis of the said complaint, the subject FIR was registered.

3. The complainant, who is present in person and has been identified by the IO in the subject FIR namely, SI Abhishek Kumar, Police Station- Prasad Nagar, Delhi states that subsequent to the registration of the subject FIR, with the intervention of friends and family members, the parties have settled their disputes which arose out of a business transaction, inasmuch as, the petitioners have been purchasing stitched clothes from the complainant and there was a disagreement over the quality of the cloth utilized by the complainant.

4. Since the dispute between the parties, which arose out of a commercial transaction and lead to the registration of the subject FIR has been amicably resolved by and between the parties without any undue influence, pressure or coercion, no useful purpose shall be served by proceeding with the subject FIR and the proceedings arising therefrom. This view is supported by the decision of the Supreme Court in **Gian Singh vs. State of Punjab and Another** reported as **(2012) 10 SCC 303**.

5. Resultantly, FIR No.501/2015, under sections 394/34 IPC, registered at Police Station- Prasad Nagar, Delhi and the proceedings arising therefrom are hereby set aside and quashed qua all the petitioners subject to their depositing a sum of Rs.5,000/- (Rupees Five Thousand) each with the Victims Compensation Fund, Government of NCT of Delhi within a period of two weeks from today. The receipt of the said deposit shall be furnished to the concerned IO.

6. The writ petition is disposed of accordingly.

7. *Dasti.*

SIDDHARTH MRIDUL, J

OCTOBER 14, 2015

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