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S-33 & 5

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

33+ W.P.(CRL) 226/2016

BIR SINGH & ORS

..... Petitioners

Through: Mr. Rajeev Shukla, Adv.

versus

THE STATE (GOVT OF NCT OF DELHI) & ANR Respondents

Through: Mr. Sanjay Lao, ASC (Crl.) with
Mr. Siddarth Sindhu, Adv. for State,
SI Pratap Singh, PS Uttam Nagar.
Mr. Puja Kumar Singh, Adv. for R-2.

5+ W.P.(CRL) 157/2016

PARAS RAM & ORS

..... Petitioners

Through: Mr. Puja Kumar Singh, Adv.

versus

THE STATE (GOVT OF NCT OF DELHI) & ANR Respondents

Through: Ms. Richa Kapoor, ASC (Crl.)
SI Pratap Singh, PS Uttam Nagar.

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

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05.02.2016

The present are petitions under Articles 226 of the Constitution of India for quashing of FIR No.846/2014, under Sections 308/354B/323/506/34 of the IPC, registered at Police Station Uttam Nagar and FIR No.847/2014, under Sections 308/323/341/34 of the IPC, registered at Police Station Uttam Nagar and the proceedings emanating therefrom.

The FIR No.846/2014 came to be registered on a complaint instituted by

W.P.(CRL) 226/2016 & W.P.(CRL) 157/2016

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respondent No. 2 in W.P.(CRL) 226/2016 alleging that the petitioner had assaulted her and her family members on the night of 04th August, 2014 after switching off the street light.

FIR No. 847/2014 was registered on a complaint instituted by respondent No. 2, Mr. Veer Singh against the petitioner in W.P.(CRL) 157/2016 to the effect alleging that the latter i.e. the petitioner assaulted him and his family members on the night of 04th August, 2014.

A perusal of the respective FIRs reveals that the present altercation took place as a consequence over a trivial dispute over the switching off of municipal street light. Senseless violence seems to have become endemic to the city of Delhi.

Counsel appearing on behalf of the parties in both the petitions state that with the aid and intervention of the neighbours from the locality where they reside the parties in the subject FIRs have resolved their disputes amicably. The terms of the compromise are enshrined in a deed of compromise dated 01st December, 2016. The salient conditions are as follows:-

“As per the settlement both parties will approach to the Hon’ble High Court for quashing of the FIR within 7 days of signing of this agreement.

It was also settled that both parties will not lodge any FIR/complaint against the other party, in future, regarding the present issue and it was also settled between the parties, if any complaint is filed by any parties to any authority either it will be withdrawn OR otherwise it will be treated as null and void.

The present settlement is final and has been reached without any coercion, undue influence, Fraud etc between both the parties.

Both parties shall be bound by the above said settlement and shall co-operate with each other in getting the F.I.Rs quashed.”

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Better sense seems to have prevailed.

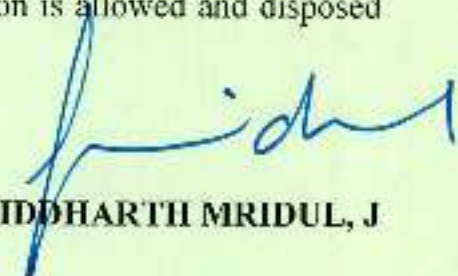
The complainants who are present in person, have been identified by the IO SI Pratap Singh, Police Station-Uttam Nagar.

In view of the foregoing since the disputes that led to the registration of the subject FIRs have been resolved amicably between the parties, no useful purpose would serve by proceeding with the present FIRs.

Resultantly, the FIR No.846/2014, under Sections 308/354B/323/506/34 of the IPC, registered at Police Station Uttam Nagar and FIR No.847/2014, under Sections 308/323/341/34 of the IPC, registered at Police Station Uttam Nagar and the proceedings arising therefrom are hereby set aside and quashed qua all the petitioners subject to each of the petitioners depositing a sum of Rs. 2,500/- with the Victims' Compensation Fund within a period of two weeks from today. A copy of the receipt thereof shall be provided to the Investigating Officer in the subject FIRs.

With the above said directions, the writ petition is allowed and disposed of accordingly.

FEBRUARY 05, 2016
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SIDDHARTI MRIDUL, J