

#65

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

**Date of decision: 22.01.2016**

**W.P.(CRL) 212/2016**

**SAJEED & ORS**

..... Petitioners

Through: Mr. Jyoti Gupta, Advocate  
Petitioner No.1 and Petitioner  
No.2-in-person

versus

**THE STATE (NCT OF DELHI) & ANR**

..... Respondents

Through: Ms. Richa Kapoor, ASC (Criminal)  
with SI Mausam Ghani, PS- Mayur  
Vihar Phase-1 for Respondent No.1  
Respondent No.2-in-person.

**CORAM:**

**HON'BLE MR JUSTICE SIDDHARTH MRIDUL**

**SIDDHARTH MRIDUL, J (ORAL)**

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.) seeking quashing of FIR No.812/2015, under Sections 307/341/34 IPC, registered at Police Station- Mayur Vihar, Phase-1, Delhi and the proceedings arising therefrom.

2. The subject FIR came to be registered on a complaint instituted by Idrish s/o Mohd. Israel (respondent No.2/complainant herein) alleging therein that the petitioner assaulted him physically over a trivial dispute over parking of their vehicles. The present is another manifestation of the rage which erupts on public streets and roads in Delhi over such trifles as parking of vehicles. Senseless violation over trivial issues, are becoming an epidemic in the city. Frequently, it is observed that men of all ages display unnecessary machismo on the road at the drop of a hat without any serious provocation. This is an issue that needs to be addressed if law and order has to be maintained in the city.

3. Be that as it may, Idrish has filed an affidavit in support of the present petition to the following effect:-

“I, Idrish S/o Mohd. Israel, age about 29 years, R/o H.No.27/338, Trilok Puri, Delhi-110091, do hereby solemnly affirm and declares as under:

1. That I am Respondent No.2/Complainant in the accompanying petition hence familiar with facts and circumstances of present case and therefore competent to swear this Affidavit.
2. That accompanying petition U/Sec. 482 of Cr.P.C. has been filed by the petitioners for quashing of F.I.R. No.812/2015 registered under Sec. 307/341/34 I.P.C. lodged with the Police Station Mayur Vihar Ph-I, Delhi pursuant to complaint made by the deponent. The copy of the entire petition has been served upon me. The contents of said petition have been read over

and explained to me in my vernacular language and same were true and correct.

3. That the petitioner No.1 & 2 namely Sajeed Jahid were till date not arrested in the present case however Petitioner No.3 namely Shahid is still languishing in judicial custody.
4. That I have compromised with the petitioners (petitioner No.1 acting/speaking on behalf of the petitioner No.3 Shahid in J.C.) in presence of the respectable members of the society. Hence now I don't have any grudges against the present petitioners.
5. That the petitioners has duly explained to me how the said incident occurred. The said incident was consequent to the road-rage, whereas upon parking of the vehicles by the petitioners on the road blocking the way of deponent hot words were exchanged and quarrel took place between the petitioners and the deponent/complainant whereas the complainant accidentally sustained injuries without any *mala fide* intentions on the part of the petitioners.
6. That the deponent/complainant was given medical assistance and discharged from the hospital on the same day.
7. That the present FIR No.812/15, P.S. Mayur Vihar, Ph-1, Delhi was lodged by the deponent/complainant under misunderstanding of facts and in the heat of moment.
8. That after the said incident I have sorted out all my differences and disputes with the petitioners and have resolved to enjoy harmonious relations in future.
9. That now I do not have any grudges or grievances against the present petitioners and hence I do not wish to pursue my present complaint FIR No.812/15 with PS. Mayur Vihar Ph-1, against the present petitioners.
10. That I have no objection if the present F.I.R. No.812/2015 registered under Sec.307/341/34 I.P.C. lodged with the Police Station Mayur Vihar Ph-1, Delhi be quashed against the present petitioners by this Hon'ble Court."

4. Idrish, who is present in person in Court today and has been identified by the IO in the subject FIR namely, SI Mausam Ghani, Police Station- Mayur Vihar, Phase-1, Delhi states that with the aid and intervention of respectable members of the community, the dispute that resulted in the registration of the subject FIR, has been resolved amicably.

5. The petitioner Nos.1 and 2 namely, Sajid and Jahid respectively are present in person in Court today whereas petitioner No.3 Shahid is stated to be in judicial custody since the date of the registration of the subject FIR. Sajid and Jahid express deep remorse over the incident and undertake to maintain good behaviour in future.

6. In view of the foregoing, since the quarrel that led to the registration of the subject FIR has been resolved amicably without any undue influence, pressure or coercion, no useful purpose will be served by proceeding with the subject FIR and the proceedings arising therefrom.

7. Consequently, FIR No.812/2015, under Sections 307/341/34 IPC, registered at Police Station- Mayur Vihar, Phase-1, Delhi are hereby set aside and quashed *qua* all the petitioners subject to their maintaining good behaviour for a period of two years from today and further subject to their depositing with the Victims' Compensation Fund a sum of Rs.10,000/-

(Rupees Ten Thousand Only) each within a period of two weeks from today.

The receipt of the said deposit shall be furnished to the concerned IO namely, SI Mausam Ghani, Police Station- Mayur Vihar, Phase-1, Delhi.

8. The writ petition is disposed of accordingly.

9. *Dasti.*

**SIDDHARTH MRIDUL, J**

**JANUARY 22, 2016**

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