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

+ CRL.M.C. 2191/2014

CHAITANYA DEV

.... Petitioner

Represented by: Mr.Vipul Sharma and Mr.Ankit
Dhawan, Advs.

versus

STATE & ANR.

.... Respondents

Represented by: Mr.Amit Ahlawat, APP for State
SI Rajiv Singh PS Mehrauli

CORAM:

HON'BLE MR. JUSTICE PRADEEP NANDRAJOG

ORDER

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16.09.2016

1. The complainant/respondent No.2 and has chosen not to appear.
2. Settlement agreement dated July 04, 2013 signed by the siblings who are sons and daughters of late Shri Attar Singh and late Smt.Vinodni Devi, concerns partition of the estate left behind by the parents. The term of the settlement is that Suit No.205/2007 shall be withdrawn. FIR No.181/2006 PS Mehrauli for offences punishable under Section 308/34 IPC as also FIR No.182/2006 for offences punishable under Section 27/54/59 of the Arms Act read with Section 506 IPC PS Mehrauli shall be withdrawn.
3. The two FIRs appear to be a result of family feud when the siblings could not agree to partition the estate of parents. Allegation against the petitioner is of using his licensed firearm by firing in the air to intimidate the complainant. As per the petitioner he had to fire in the air to scare the husband of the complainant when he hit him with a *ballam*.

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4. In view of the settlement agreement dated July 04, 2013, noting that a family feud resulted in the offensive act being committed : the firing by firearm in air and not targeted towards anybody, I allow the petition and quash FIR No.182/2006 PS Mehrauli for offence punishable under Section 27/54/59 of the Arms Act and Section 506 IPC and the proceedings emanating therefrom.

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Dismissed as infructuous.

PRADEEP NANDRAJOG, J

SEPTEMBER 16, 2016

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