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S-7, 11, 12 & 17

* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(CRL) 2918/2015

ARUN KUMAR MALHOTRA & ANR.

..... Petitioner

Through

Mr. Mahender Singh and Mr. Sermon Rawat,
Advocates along with petitioners in person

versus

STATE (GOVT OF NCT OF DELHI)

..... Respondent

Through

Ms. Kamna Vohra, APP for State along with SI
Kishanveer Bhati, PS Preet Vihar
Mr. Anil Kumar Sharma and Mr. Apoorv
Kumar Sharma, Advocates for R-2 along with
R-2 in person

+ W.P.(CRL) 448/2016
VISHAL BIRLA

..... Petitioner

Through

Mr. Anil Kumar Sharma and Mr. Apoorv
Kumar Sharma, Advocates along with
petitioners in person

versus

THE STATE (NCT OF DELHI) & ANR.

..... Respondent

Through

Mr. Jamal Akhtar and Mr. Shekhar Budakoti,
Advocates for Mr. Rahul Mehra, Standing
Counsel (Crl.) for State GNCTD along with SI
Kishanveer Bhati, Police Station Preet Vihar,
Complainant/R-2 in person

+ W.P.(CRL) 455/2016
RAHUL SETHI

..... Petitioner

Through

Mr. Anil Kumar Sharma and Mr. Apoorv
Kumar Sharma, Advocates along with petitioner
in person

versus

THE STATE (NCT OF DELHI) & ANR

..... Respondent

Through

Mr. Jamal Akhtar and Mr. Shekhar Budakoti,
Advocates for Mr. Rahul Mehra, Standing
Counsel (Crl.) for State GNCTD
along with SI Kishanveer Bhati, Police Station
Preet Vihar
R-2/complainant in person

+ W.P.(CRL) 465/2016
RAHUL SETHI

..... Petitioner

Through

Mr. Anil Kumar Sharma and Mr. Apoorv

14-A

Kumar Sharma, Advocates along with the
petitioner in person

versus

THE STATE (NCT OF DELHI) & ANR.

..... Respondent

Through

Mr. Jamal Akhtar and Mr. Shekhar Budakoti,
Advocates for Mr. Rahul Mehra, Standing
Counsel (Crl.) for State GNCTD
along with SI Kishanveer Bhati, Police Station
Preet Vihar
R-2/Complainant in person

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA

ORDER

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04.04.2016

These are the petitions under Article 226 of the Constitution of India, 1956 r/w Section 482 Cr.P.C. moved by the petitioners for quashing of FIR No.251/2015 registered at Police Station Preet Vihar, Delhi under Sections 323/509/354/427/34 IPC; FIR No.346/2015 registered at Police Station Preet Vihar, Delhi under Section 385 IPC; FIR No.252/2015 registered at Police Station Preet Vihar, Delhi under Section 323/427/452/34 IPC; and FIR No.330/2015 registered at Police Station Preet Vihar, Delhi under Section 509/506/34 IPC and consequent proceedings emanating therefrom on the ground that the parties have compromised the matter.

It is submitted by counsel for the petitioners that the parties are neighbours. Four cases were registered against each other as such the matter was referred to Delhi High Court Mediation & Conciliation Centre for exploring the possibility of a settlement. The matter has been amicably settled between the parties on 14.08.2015, therefore, the present petitions have been filed for quashing the aforesaid FIRs as the complainants in the case are not interested in pursuing the matter and have no objection to quashing of the above FIRs.

The complainants are present in person (duly identified by the Investigating Officer and their counsel) and admit that the matter has been amicably settled before the mediation centre. Moreover, in order to maintain cordial relations between the parties they are not interested in pursuing the matters further and have no objection to quashing

5
of the FIRs

Learned ASCs for the State submit that in view of the settlement arrived at between the parties, they have no objection to quashing of FIRs, however, since the State machinery was set in motion on a trivial issue, the petitioners be burdened with some costs.

Keeping in view the facts that the parties have compromised the matter with each other amicably, no useful purpose would be served by continuing the criminal proceedings against the petitioners, which will only be an exercise in futility and wastage of precious time of the Court.

Accordingly, the petition are allowed and the FIR No.251/2015 registered at Police Station Preet Vihar, Delhi under Sections 323/509/354/427/34 IPC; FIR No.346/2015 registered at Police Station Preet Vihar, Delhi under Section 385 IPC; FIR No.252/2015 registered at Police Station Preet Vihar, Delhi under Section 323/427/452/34 IPC; and FIR No.330/2015 registered at Police Station Preet Vihar, Delhi under Section 509/506/34 IPC and consequent proceedings emanating therefrom are hereby quashed subject to payment of Rs.25,000/- as costs in each case which be deposited by the petitioners with Prime Minister Relief Fund within two weeks. Copy of the receipts be placed on record.

The petitions stand disposed of accordingly.

A copy of this order be given *dasti* to counsel for the petitioners.

APRIL 04, 2016
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Sunita Gupta
SUNITA GUPTA, J