

\$~26

* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ CRL.M.C. 806/2016
VIJENDER @ BIJENDER

..... Petitioner
Through: Mr Sunil Kumar, Adv. alongwith petitioner
in person
versus
STATE (NCT OF DELHI) & ANR

..... Respondent
Through: Ms Neelam Sharma, Additional Public
Prosecutor for the State alongwith Sub
Inspector Amit Verma Police Station
Gokulpuri, Delhi
Mr Sandeep Jain, Adv. for R2 alongwith R2
in person

CORAM:
HON'BLE MS. JUSTICE SUNITA GUPTA

% ORDER
26.02.2016

Crl. MA 3410/2016 (exemption)

Exemption allowed subject to all just exceptions.

The application stands disposed of.

CRL.M.C. 806/2016

This is a petition under Section 482 Cr.P.C. moved by the petitioner for quashing of FIR No.120/2013 registered at Police Station Gokulpuri, Delhi under Section 354B IPC and the consequent proceedings arising therefrom on the ground that the parties have settled all their disputes.

It is submitted by counsel for the petitioner that parties are close relatives as petitioner is brother in law of respondent no.2. On 27.03.2013, a quarrel took place between both the parties pursuant to which a criminal case was got registered by present petitioner vide FIR No. 121/2013 Police Station Gokul Puri under Sections 308/34 IPC whereas respondent no2 got the present FIR registered. Due to intervention and good counselling of relatives, friends, neighbours and well-wishers both the parties have sunk their differences and realized that they should not get themselves entangled in the lengthy legal process and for the betterment of their future, they have settled all their disputes. It

is further submitted that a compromise deed has also been entered between the parties which is placed on record at pgs. 24 – 27.

The respondent No.2/complainant is present in person (duly identified by the Investigating Officer and her counsel) and submits that since, she has amicably resolved all disputes with the petitioner voluntarily without there being any threat, coercion or pressure of any sort. She further states that compromise has also been entered into between her and the petitioner as such she does not want any action against the petitioner and has no objection to quashing of the instant FIR.

Ms Neelam Sharma, Additional Public Prosecutor for the State submits that in view of the settlement arrived at between the parties, he has no objection to quashing of FIR.

Keeping in view the close relations of parties coupled with the fact that better sense has prevailed upon them by settling all their disputes, no useful purpose would be served by continuing the criminal proceedings against the petitioner, which will only be an exercise in futility and wastage of precious time of the Court.

Accordingly, the petition is allowed and the FIR No.120/2013 registered at Police Station Gokulpuri, Delhi under Section 354B IPC and consequent proceedings emanating therefrom are hereby quashed subject to payment of Rs.20,000/- as costs to be deposited by the petitioner with Delhi High Court Advocates Welfare Fund within two weeks from today. Copy of receipt of deposit of costs be placed on record.

The petition stands disposed of accordingly.

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

SUNITA GUPTA, J

FEBRUARY 26, 2016/*rd*