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

+ **CRL.M.C. 1442/2016**

MANOJ KUMAR

..... Petitioner

Through Mr. Deepak Mehar Singh, Advocate

versus

THE STATE (NCT OF DELHI) & ANR.

..... Respondent

Through Ms. Neelam Sharma, APP along with
ASI Tej Ram, Police Station
Nazafgarh

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA

ORDER

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18.04.2016

1. This is a petition under Section 482 Cr.P.C. moved by the petitioner for quashing of FIR No.343/2011 registered at Police Station Nazafgarh under Sections 323/506/509/354 IPC and consequent proceedings emanating therefrom on the ground that the parties have compromised the matter.

2. It is submitted by counsel for the petitioner that the parties are neighbours. On 21.10.2011 a quarrel took place between the petitioner and the family members of respondent No.2 upon parking issue and thereafter the present FIR was registered on the statement of respondent No.2. On 28.10.2011 the petitioner was formally arrested by the local police and was released on bail. After investigation of the case, charge sheet was filed before the Dwarka Court where charges u/s

354/506/509/323 IPC were framed against the petitioner. Thereafter the matter was referred to Mediation Centre, Dwarka Courts for exploring the possibility of a settlement. The matter has been amicably settled between the parties on 26.11.2014, therefore, the present petition has been filed for quashing the aforesaid FIR as the complainant is not interested in pursuing the matter and has no objection to quashing of the above FIR.

3. The complainant is present in person (duly identified by the Investigating Officer and her counsel) and admits that the matter has been amicably settled before the mediation centre. Moreover, in order to maintain cordial relations between the parties, she is not interested in pursuing the matter further and has no objection to quashing of the FIR.

4. Learned APP for the State submits that in view of the settlement arrived at between the parties, she has no objection to quashing of FIR, however, since the State machinery was set in motion on a trivial issue, the petitioner be burdened with some costs.

5. 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 petitioner, which will only be an exercise in futility and wastage of precious time of the Court.

6. Accordingly, FIR No.343/2011 registered at Police Station Nazafgarh under Sections 323/506/509/354 IPC and consequent

proceedings emanating therefrom are hereby quashed subject to payment of Rs.15,000/- as costs which be paid to the complainant within four weeks by way of demand draft/pay order in the name of the complainant. Copy of demand draft/pay order 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

APRIL 18, 2016/rs