

S-41-42

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

+ W.P.(CRL) 2000/2016

SHIVAM & ORS.

..... Petitioner

Through: Mr. Vimal Duggal, Advocate.

versus

STATE & ANR.

..... Respondent

Through: Mr. R.S. Kundu, Additional Standing
Counsel for State with SI Rajpal, PS
Uttam Nagar.

+ W.P.(CRL) 2001/2016

DHEERAJ KAPOOR

..... Petitioner

Through: Mr. Vimal Duggal, Advocate.

versus

STATE & ANR

..... Respondent

Through: Mr. R.S. Kundu, Additional Standing
Counsel for State with SI Rajpal, PS
Uttam Nagar.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

15.07.2016

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CrI.M.A. Nos.10460-61/2016

Exemption allowed, subject to all just exceptions. The applications stand disposed of.

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W.P.(CRL) 2000/2016 & 2001/2016

These two petitions have been preferred under Article 226 of the Constitution of India to seek quashing of the cross-FIRs registered by the parties against each other. W.P. (Crl.) No.2000/2016 has been preferred to seek the quashing of FIR No.714/2013 dated 05.12.2013 under Section 325/34 IPC registered at PS Uttam Nagar against the petitioners at the instance of respondent No.2 Dheeraj Kapoor. On the other hand, W.P. (Crl.) No.2001/2016 has been preferred to seek the quashing of FIR No.548/2013 dated 04.10.2013 under Section 452/324/323/34 IPC registered at PS Paharganj against the petitioner Dheeraj Kapoor on the complaint of respondent No.2 Shivam.

Both the petitions are premised on a settlement arrived at between the parties. The affidavits of the complainant in both the cases have been filed. Dheeraj Kapoor, the complainant in relation to FIR No.714/2013 is present in court. He is identified by his counsel Mr. Duggal in W.P. (Crl.) No.2001/2016. He has also produced his Aadhar card as proof of his identity, a copy whereof has been retained on record. He states that the settlement has been arrived at between the complainant and the accused out of his own free will and he does not wish to pursue the said complaint any further.

Similarly, the complainant in respect of FIR No.548/2013, namely, Shivam is present in court. He has filed his affidavit in support of the petition and states that the settlement has been arrived at out of his own free will and he does not wish to pursue the said complaint any further. He is identified by his counsel Mr. Duggal. He has also produced his Aadhar card as proof of his identity, a copy whereof has been retained on record.

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In these circumstances, no useful purpose would be served in proceeding with either of the aforesaid two cases. Accordingly, the FIR in both the cases are quashed.

Petitions stand disposed of.



VIPIN SANGHI, J

JULY 15, 2016

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