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

+ **W.P.(CRL) 2904/2016**

**BUNTI & ORS**

..... Petitioners

Through : Mr. Hemant Goel, Adv.

versus

**STATE & ANR**

..... Respondents

Through : Mr. Sanjay Lao, ASC and Mr. Siddarth  
Sindhu, Adv. with SI Rahul Sahar PS  
Seema Puri.

Respondent no.2 in person.

**CORAM:**

**HON'BLE MR. JUSTICE A.K. PATHAK**

**ORDER**

% **03.10.2016**

**Crl.M.A.15535/2016 (Exemption)**

Allowed, subject to all just exceptions. Application is disposed of.

**W.P.(CRL) 2904/2016**

By this writ petition under Article 226 of the Constitution of India, petitioners have prayed for quashing the FIR No.1377/2015 under Sections 394/34 IPC registered at police station Seema Puri on the complaint of respondent no.2 Babul Nath. Petitioners and respondent no.2 are known to each other and are living in the same locality. It appears that a quarrel took place between the complainant party and accused persons on some trivial matters wherein both the parties sustained simple injuries, inasmuch as, lost some money. Cross FIRs were registered by both the parties against each other. It is noted that cross FIR No.1379/2015 was also registered at police station

Seema Puri under Sections 392/34 IPC against the respondent no.2, his brother and some other persons on the complaint of petitioner no.3. Learned additional standing counsel submits that other persons, named in the FIR as accused, have not been made party to this petition. It is submitted that Ravi, Mogli and Vicky have not been added. Respondent no.2 Babul Nath submits that Ravi, Mogli and Vicky were not there and infact he does not know them and he cannot say as to how their names have come in this FIR. Learned counsel for petitioners submits that Ravi was not impleaded in cross FIR as well. Respondent no.2 had stated, while the said matter was taken up, that he does not have any son by the name of Ravi. Respondent no.2 Babul Nath is present in Court and submits that he does not wish to take any action against any of the persons named in the FIR. Cross FIR has already been quashed in W.P. (Crl.) No.2870/2016.

Keeping in mind the fact that FIR is outcome of the quarrel between the neighbours, resulting in registration of cross FIR, inasmuch as, cross FIR has already been quashed, the present FIR No.1377/2015 under Sections 394/34 IPC registered at police station Seema Puri and the consequent proceedings emanating therefrom are quashed.

Writ petition is disposed of in the above terms.

**A.K. PATHAK, J.**

**OCTOBER 03, 2016/dk**