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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ CRL.M.C. 754/2016
MST SHAKEELA & ORS

..... Petitioners

Through Mr S. Bharti, Adv. alongwith petitioners in person

versus

STATE (GOVT OF NCT DELHI) & ORS

..... Respondent

Through Mr Ashok Kumar Garg, Additional Public Prosecutor for the State alongwith Sub Inspector Thakur Singh Police Station Chandni Mahal, Delhi
Mr Amit Gupta, Adv. for R2 alongwith R2 in person

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA

ORDER

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28.04.2016

Crl. MA 3197/2016 (exemption)

Exemption allowed subject to all just exceptions.

The application stands disposed of.

Crl. MA 3198/2016 (delay)

This is an application moved by the appellant for condonation of delay of 59 days in re-filing the instant petition.

Notice.

Mr Ashok Kumar Garg, Additional Public Prosecutor for the State accepts notice and submits that he has no objection to condonation of delay.

In view of the averments made in the application, the delay of 59 days in re-filing the petition is condoned.

The application stands disposed of.

CRL.M.C. 754/2016

This is a petition under Section 482 Cr.P.C. moved by the petitioners for quashing of FIR No.175/2014 registered at Police Station Chandni Mahal, Delhi under Sections 354/323/34 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 petitioners that there are cross FIRs between the parties. They are immediate neighbours. A civil suit was also filed which was referred by learned ASCJ, Tis Hazari Courts, Delhi to Mediation Centre, Tis Hazari Courts. All the disputes have been amicably settled. As such, no fruitful purpose will be served by proceedings with the matter as such FIR be quashed.

The respondent No.2/complainant, who is present in person (duly identified by the Investigating Officer of the case and her counsel) submits that since both the parties are neighbours she has amicably resolved all disputes with the petitioners voluntarily without there being any threat, coercion or pressure of any sort and in view of the settlement arrived at between the parties, she does not want any action against the petitioner and does not have any objection to quashing of the instant FIR.

Mr Ashok Kumar Garg, Additional Public Prosecutor for the State submits that the charge-sheet is yet to be filed and that in view of the settlement arrived at between the parties, he has no objection to quashing of FIR.

Keeping in view the facts that parties are residing in the same property, in their separate portions; disputes arose on trivial issue of user of common toilet and bathroom; parties have now resolved to settle their disputes, it will be in larger interest to maintain harmony and peace that quietus be given to their inter se disputes. Needless to say, both the parties will be bound by the terms of settlement arrived at between them before the mediation centre.

Accordingly, the petition is allowed and the FIR No.175/2014 registered at Police Station Chandni Mahal, Delhi under Sections 354/323/34 IPC and consequent proceedings emanating therefrom are hereby quashed

The petition stands disposed of accordingly.

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

SUNITA GUPTA, J

APRIL 28, 2016/*rd*