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

+ W.P.(CRL) 968/2017 & CrI. M.A. No. 5413/2017

MOHD ASIM Petitioner

Through : Mr. Vimal Puggal, Adv.

versus

STATE & ANR Respondents

Through :Mr. Ashish Aggarwal, ASC with
Inspector Harkesh Gaba, P.S. ATO/K.
Nagar for the State
Mr. Nitin Sehgal, Adv. with
respondent no. 2 in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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29.03.2017

It is submitted that petitioner is cousin of respondent no. 2. A quarrel took place between them over a property, which led to the registration of present FIR No. 86/2017 under Sections 307/34 IPC and Section 27 of the Arms Act, 1959 at Police Station Krishna Nagar, on the complaint of respondent no. 2. As per the FIR, a person, who was accompanying the petitioner, fired at respondent no. 2. However, respondent no. 2 did not receive any gunshot injury. Petitioner and respondent no. 2 have now settled their disputes amicably with the intervention of their family members at the nascent stage of investigation.

Respondent no. 2 is present in Court along with his counsel and has been identified by Inspector Harkesh Gaba of Police Station Krishna Nagar. Respondent no. 2 submits that he has settled the matter with petitioner, of his own free will and without any undue force, coercion and pressure; and that he is not willing to pursue the FIR any further.

Keeping in mind the settlement arrived at between the cousins, at the early stage of investigation, in my view, no fruitful purpose would be served to keep them entangled in the criminal proceedings. Accordingly, in the interest of justice, FIR No. 86/2017 under Sections 307/34 IPC and Section 27 of the Arms Act, 1959 registered at Police Station Krishna Nagar, is quashed, subject to, however, costs of ₹25,000/- to be deposited by the petitioner with Delhi High Court Bar Association Lawyers' Social Security & Welfare Fund. Receipt, evidencing the deposit of cost, be produced before the Investigating Officer within two weeks.

Petition is disposed of in the above terms. Miscellaneous application is disposed of as infructuous. Dasti.

A.K. PATHAK, J.

MARCH 29, 2017/rb