

S-40 & 41

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

+ **CRL.M.C. 3651/2017**

REKHA AND ORS Petitioners

Through: Mr.Bishwajit Kumar Shah, Advocate

versus

THE STATE NCT OF DELHI Respondent

Through: Ms.Manjeet Arya, APP

CRL.M.C. 3653/2017

LALITA AND ORS Petitioners

Through: Mr.Ram Naresh, Advocate with Mr.Naveen
Kumar, Advocate

versus

THE STATE NCT OF DELHI Respondent

Through: Ms.Manjeet Arya, APP

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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08.09.2017

Crl.M.A.No.14867/2017 in Crl.M.C.No.3651/2017

Crl.M.A.No.14871/2017 in Crl.M.C.No.3653/2017

Allowed subject to just exceptions.

The application is disposed of.

Crl.M.A.No.14868/2017 in Crl.M.C.No.3651/2017

Crl.M.A.No.14872/2017 in Crl.M.C.No.3653/2017

For the reasons stated in the two applications the delay in re-filing the petitions are condoned.

The applications are disposed of.

Crl.M.C.Nos.3651/2017 & 3653/2017

Learned APP submits that in Crl.M.C. No.3651/2017, apart from respondent No.2, Bhagwat, Pinki, Lalita and Sandeep had also sustained injuries. However, they have not been made a party to the present petition. On the oral prayer made by learned counsel for the petitioner Bhagwat, Pinki and Lalita are also impleaded as respondent Nos.3 to 5 in Crl.M.C.No.3651/2017. Amended memo of parties be filed during course of the day. As regards Sandeep is concerned he is stated to have died on September 08, 2013.

Learned APP further points out that in Crl.M.C. No.3653/2017 apart from respondent No.2 Hoshiyar Singh, Raj Rani and Rekha had also sustained injuries. However, they have not been made a party to the present petition. On the oral prayer made by learned counsel for the petitioner, Hoshiyar Singh, Raj Rani and Rekha are impleaded as respondent Nos.3 to 5. Amended memo of parties be filed during course of the day.

Petitioners (accused), respondent No.2 and the private respondents (complainants/injured) in both the petitions have prayed for quashing of the following two cross-FIRs : A) FIR No.242/2013 under Sections 354B/323/452/34 IPC registered at PS Vasant Kunj (North) on the complaint of Rajesh (respondent No.2) in Crl.M.C.No.3653/2017 and petitioner No.3 in Crl.M.C.No.3651/2017; B) FIR No.243/2013 under Sections 452/354B/323/34 IPC registered at PS Vasant Kunj (North) on the

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complaint of Surrender (respondent No.2) in CrI.M.C.No.3651/2017 and petitioner No.3 in CrI.M.C.No.3653/2017.

Petitioners and private respondents in both petitions are present in Court along with their respective counsels and have been identified by Sub-Inspector Sandeep Sharma of PS Vasant Kunj (North). He submits that they have settled their disputes amicably with their own free will and without any undue force, pressure or coercion. It is further submitted that they are neighbours and a quarrel took place between them on some trivial issues which led to the registration of the present FIR and now they have no objection in case the FIR is quashed.

Keeping in view that a quarrel took place between the neighbours and that they have now settled their disputes amicably, in order to maintain harmonious relationship and in the interest of justice, both the FIRs and the consequent proceedings emanating therefrom are quashed.

Both the petitions are disposed of in the above terms.

Dasti.


A.K. PATHAK, J.

SEPTEMBER 08, 2017

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