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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 1708/2017
SURENDER SINGH & ORS Petitioners
Through Mr.Gurmehar S. Sistani, Adv.

versus

STATE OF NCT OF DELHI & ORS Respondents
Through Ms.Kusum Dhalla, APP for the State
Mr.H.R. Singh, Adv. with Mr.Amit
Upadhyay, Adv. for R-2 & R-3
ACP Ved Bhushan, Parliament Street

CORAM:
HON'BLE MR. JUSTICE I.S.MEHTA

ORDER
% **27.04.2017**

Crl. M.A. 6919/2017

Exemption granted, subject to all just exceptions.

Application stands disposed of.

Crl. M.C. 1708/2017 & Crl. M.A. 6918/2017

This is a petition under Section 482 Cr.P.C. moved by the petitioners for quashing of FIR No.88/2015, under Sections 186/353/367/332/511/506/34 IPC and Section 3(X) of the SC & ST (Prevention of Atrocities) Act, 1989 registered at P.S. Tughlak Road.

It is submitted by learned counsel for the petitioners that the respondent No.2 is a Sanitary Inspector and respondent No.3 is a Safai Karamchari in NDMC. He further submits that on the date of incident the respondent Nos.2 & 3 were present near the Race Course Road Metro Station and were discharging their official duties and while doing so the

petitioners were crossing the road and that due to one vegetable vendor, who was also passing through the said street, some misunderstanding has arisen between the parties, which resulted into registration of the aforementioned FIR. He also submits that when the hot arguments were exchanged between the parties, both the parties did not know each other either in the past or at that relevant point of time. Therefore, the invocation of SC & ST Act is not applicable as there was no knowledge to the petitioners, as to who the respondent Nos.2 & 3 are. He also submits that after the registration of the FIR, the close friends intervened and the matter has been amicably settled between the parties which has been reduced into writing vide Settlement dated 20.03.2017. He further submits that the present FIR is coming as a hurdle in the future life of the petitioners and prays that the present FIR may be quashed.

The respondent Nos.2 & 3 are present in person and have been identified by the Investigating Officer – ACP Ved Bhushan and admit that they have amicably resolved all disputes with the petitioners voluntarily without there being any threat, coercion or pressure of any sort. They further admit that before the incident and at the time of incident they were not known to each other. They further submit that they have no objection, if the present FIR is quashed.

It is an admitted fact coming on record that both the parties were not known to each other prior to the incident or even at the time of incident. Therefore, the application of SC & ST Act is not applicable in the present petition. Reliance has been placed on the judgment of this Court in case titled “***Kiran Bala vs. State of NCT of Delhi & Anr***”, CrI. M.C. No.909/2016, dated 02.03.2016.

Keeping in view the facts and circumstances, since the matter has been amicably settled between the parties, to have peace in the present and future life of the parties and also the fact that nothing is to be adjudicated upon further, I deem it appropriate to quash the FIR in question. Consequently, to meet the ends of justice, the FIR No.88/2015, under Sections 186/353/367/332/511/506/34 IPC and Section 3(X) of the SC & ST (Prevention of Atrocities) Act, 1989 registered at P.S. Tughlak Road and all subsequent proceedings arising therefrom are hereby quashed. Parties to remain bound by the terms of the Settlement dated 20.03.2017.

The petition stands disposed of accordingly.

Copy of this order be given *dasti*, as prayed.

I.S.MEHTA, J

APRIL 27, 2017/km