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

+ CRL.M.C. 2778/2017

TASLEEM & ORS

.... Petitioners

Through Mr. Vijay Kinger, Adv

versus

STATE GOVT OF NCT OF DELHI & ANR Respondents

Through Mr. M S Oberoi, APP for State
ASI Jaiveer Singh, PS K Khas
Mr. Muhammad Arif, Adv for R-2

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **30.10.2017**

Petitioners have prayed for quashing of FIR 249/1999 under Sections 326/394/34 IPC registered at PS Khajuri Khas. Petitioners and respondent no.2 are known to each other, in as much as they are neighbours.

Respondent no.2 is present in the Court along with his counsel and has been identified by ASI Jaiveer Singh. It is submitted that on the date of incident, when respondent no.2 asked accused Dilshad (since deceased) about the whereabouts of Sonu, he along with petitioners caught hold of him and Dilshad hit on his left eyebrow with some object resulting in injuries to him. During the quarrel, his gold chain and ring fell on ground and were misplaced.

Initially, FIR was registered under Section 325/34 IPC. Subsequently offence under section 394 IPC was added. Learned counsel for the respondent no.2 submits that averments in FIR do not disclose ingredients of offence under Section 394 IPC in absence of allegations of forcible

snatching of these articles from the respondent no.2.

Offence under Section 325 IPC was converted to Section 326 IPC as the injuries to the complainant were opined as grievous by the concerned doctor.

Respondent no.2 submits that he has settled the matter with the petitioner on 13th July, 2017 of his own free will and without any undue force, pressure or coercion. Respondent no. 2 further submits that he is not willing to pursue the FIR any further and the same may be quashed.

Keeping in mind the facts and circumstances as detailed above, more particularly the fact that accused persons and complainant are neighbours, inasmuch as have settled their disputes in order to maintain harmonious relations in future, in the interest of justice FIR 249/1999 under Sections 326/394/34 IPC registered at PS Khajuri Khas and the consequent proceedings emanating therefrom are quashed.

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

A.K. PATHAK, J

OCTOBER 30, 2017

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