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

+ CRL.M.C. 3012/2017

MADHU BALA & ORS. Petitioners

Through: Mr.Kali Charan, Advocate with
petitioners in person.

versus

THE STATE (GOVT. OF NCT OF DELHI) & ORS. Respondents

Through: Mr.Kewal Singh Ahuja, APP for the
State/R-1 with ASI Suresh Kumar, PS
New Usmanpur.
Respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER
10.10.2017

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Crl.M.A.Nos.16519/2017 and 16520/2017

1. The petitioners have filed Crl.M.A. No.16519/2017 praying for restoration of the petition which was dismissed for non-prosecution on 22nd August, 2017. Crl.M.A.No.16520/2017 has also been filed praying for condonation of delay of four days in filing Crl.M.A. No.16519/2017 for restoration of the petition.
2. For the reasons stated in the applications, the delay in filing the application seeking restoration of the petition is condoned and the petition is restored to its original number.
3. Both the applications are allowed.

CRL.M.C. 3012/2017

1. This petition has been filed by the petitioners under Section 482 Cr.P.C. praying for quashing of the FIR No.264/2014 under Sections 354/354-A/341/323/34 IPC registered at PS New Usmanpur, Delhi and the proceedings emanating therefrom on the basis of settlement between the parties.
2. Briefly stating, case FIR No.264/2014 was registered on the statement made by the respondent No.2 to the effect that her brother Sanjay alongwith his wife, children and mother (mother of respondent No.2 also) used to reside in her neighbourhood. On 16th March, 2014 at about 8.00 pm when she went to her brother's house for giving food to her mother, petitioner No.2, who is brother-in-law (*Sala*) of Sanjay, was also present there. Petitioner started misbehaving with her and when she objected, petitioner No.1 – sister of petitioner No.2 came from inside the room and started beating her due to which she received injuries. She reported the matter to the police.
3. During the pendency of above proceeding, with the intervention of family members of both the parties and some elderly people of the society, the parties arrived at an amicable settlement vide Compromise Deed dated 23rd September, 2017 and copy of the said Compromise Deed has been placed on record as Annexure-A (colly).
4. Respondent No.2/complainant, who is present in person, submits that since the parties to the dispute are closely related and the matter has been amicably settled, she does not want to continue with the criminal proceedings. Respondent No.2 further submits that she has no objection if the FIR in question is quashed qua the Petitioners.

5. In view of the legal position laid down in *Gian Singh v State of Punjab & Anr. 2012 (9) SCALE 257* and amicable settlement arrived at between the parties, I am of the considered view that no useful purpose would be served by continuing the criminal proceedings against the petitioners, which will only be an exercise in futile and wastage of precious time of the Court.

6. Accordingly, in terms of the settlement case FIR No.264/2014 under Sections 354/354-A/341/323/34 IPC registered at PS New Usmanpur, Delhi and consequential proceedings arising therefrom are hereby quashed.

Order dasti, as prayed.

PRATIBHA RANI, J.

OCTOBER 10, 2017

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