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

+ CRL.M.C. 4636/2017 & CrI. M.A. no. 18459/2017

RAHUL SHARMA & ORS Petitioners
Through Mr. Shree Nivas Sharma, Adv.

versus

STATE (NCT OF DELHI) & ANR Respondents
Through Mr. M.S. Oberoi, APP with SI
Mukesh Yadav, P.S. Jagatpuri for
respondent no. 1
Mr. Ashok Kumar Mahour, proxy
counsel for Mr. Swatantra Kaushik,
Adv. with respondent no. 2 in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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10.11.2017

It is submitted that petitioners and respondent no. 2 are neighbours. A perusal of FIR reflects that a quarrel took place between the petitioners and respondent no. 2 on some trivial issue, which had led to registration of the present FIR no.326/2013 under Sections 308/506/34 IPC at Police Station Jagat Puri on the complaint of respondent no.2. Petitioners and respondent no. 2 have settled their disputes amicably vide a Compromise-cum-Settlement Deed dated 30th October, 2017; therefore, aforesaid FIR and the consequent proceedings emanating therefrom may be quashed. Respondent

no. 2 is present in Court along with his counsel and has been identified by SI Mukesh Yadav of Police Station of Jagatpuri. Respondent no. 2 says that he has now settled the matter with the petitioners of his own free will, voluntarily and without any undue force, pressure or coercion. Respondent no. 2 submits that he is not willing to pursue the FIR any further and the same may be quashed.

Keeping in view the fact that a quarrel took place between the neighbours on some trivial issue, which they have settled amicably in order to maintain harmonious relation in future, in the interest of justice, FIR no.326/2013 under Sections 308/506/34 IPC at Police Station Jagat Puri and the consequent proceedings emanating therefrom are quashed, subject to costs of ₹10,000/- to be deposited by each of the petitioners with the Delhi High Court Staff Welfare Fund. Receipts, evidencing deposit of costs, 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.

NOVEMBER 10, 2017

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