

S-59 & 68

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

+ CRL.M.C. 195/2018

NAND LAL SHARMA & ORS

..... Petitioners

Through Mr. Hemant Verma, Advocate.

versus

THE STATE GOVT OF NCT OF DELHI & ORS Respondents

Through Mr. Arun Kumar Sharma, APP

Ms. Pooja Chauhan, Advocate for
respondent Nos.2 to 5.

SI Banwari Lal, PS Dwarka North

- CRL.M.C. 213/2018

YASH KUMAR & ANR

..... Petitioner

Through Ms. Pooja Chauhan, Advocate.

versus

THE STATE & ORS

..... Respondents

Through Mr. Arun Kumar Sharma, APP

Mr. Hemant Verma, Advocate for
respondent Nos.2 to 6.

SI Banwari Lal, PS Dwarka North

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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16.01.2018

Crl.M.A. 800/2018 (exemption) in CRL.M.C. 195/2018

Exemption is allowed subject to all just exceptions.

CRL.M.C. 195/2018 & CRL.M.C. 213/2018

1. Petitioners in these respective petitions seek quashing of cross-FIRs registered against each other. The petitioners in Crl.M.C.

195/2018 seek quashing of FIR No.510/2016 under Section 341/323/354/506/34 IPC, Police Station Dwarka North and, subsequently, Section 325 IPC has been added.

2. Petitioners in CrI.M.C.213/2018 seek quashing of FIR No.511/2016 under Section 341/323/354/506/34 IPC, Police Station Dwarka North. In FIR No.511/2016, chargesheet has been filed.

3. The subject FIRs have been registered against each other on account of disputes relating to a Collaboration Agreement for construction of a property. It is contended by the parties that on account of some misunderstanding, the respective incidents occurred. Parties have since settled their disputes and the Settlement Agreement dated 26.07.2017 has been entered into.

4. All the parties are present in Court and are represented by their counsel and are identified by the Investigating Officer. They contend that they have settled all their disputes and other cases including civil proceedings have already been settled and withdrawn. They submit that they do not wish to press charges against each other and pray that the subject FIRs be quashed.

5. In view of the fact that the disputes emanate out of a civil transaction, i.e. a collaboration agreement relating to a construction of a property and the parties have since settled their disputes and they do not wish to press any charges against each other, no fruitful purpose would be served in continuing with the criminal proceedings as there is a slim likelihood of conviction. Further, in view of the fact that the

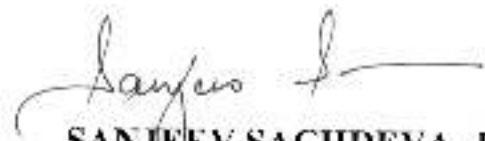
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parties have settled their disputes with regard to the Cross FIRs registered against each other, it would also be expedient and in the interest of justice, that the subject FIRs and the consequent proceedings arising therefrom are quashed.

6. In view of the above, the FIR No.510/2016 under Section 341/323/325/354/506/34 IPC, Police Station Dwarka North and the FIR No.511/2016 under Section 341/323/354/506/34 IPC, Police Station Dwarka North and the consequent proceedings arising therefrom are quashed.

7. Petitioners in CRL.M.C. 195/2018 shall deposit cost of Rs.5,000/- and petitioners in CRL.M.C. 213/2018 shall deposit cost of Rs.10,000/- with the "*Prisoners Welfare Fund, Jail No. 14, Mandoli*", Mangal Pandey Marg, Harsh Vihar, Village Mandoli, Delhi. The receipt of deposit of the costs imposed by this Order be furnished to the concerned Investigating Officer within a period of three weeks from today.

8. Order *Dasti* under the signatures of the Court Master.


SANJEEV SACHIDEVA, J

JANUARY 16, 2018
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