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

+ **CRL.M.C. 256/2018**

SHEESHPAL @ LUV

..... Petitioner

Through : Mr Kapil Singhal, Advocate.

versus

THE STATE OF NCT OF DELHI & ANR

..... Respondent

Through : Mr Arun Kumar Sharma, Addl. PP
for the State.
SI Prashant, PS N.V.Pur.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **18.01.2018**

Crl. M.A. 992/2018(exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 256/2018

1. The petitioner seeks quashing of FIR No.1004/2015 under Sections 308/323/34 IPC, Police Station New Usmanpur, Delhi.

2. It is contended that on account of an altercation and misunderstanding, subject incident happened. The parties are neighbours and have settled their dispute. The petitioner is present in Court and expresses remorse and submits that his father has predeceased, and he is only bread earner of the family and has to support his old mother and a younger brother.

3. Respondent Nos.2 & 3 are present in Court and are identified by the Investigating Officer. They state that, being neighbours, they have amicably settled with the petitioner, with the intervention of elders and other neighbours and have resolved their dispute to restore peace and harmony in the neighbourhood.

4. In view of the fact that the parties have settled their dispute and age of the petitioner is only 19 years and Respondents No. 2 and 3 do not wish to prosecute the complaint any further, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the ultimate guiding factor. It would be expedient to quash the subject FIR and the consequent proceedings emanating therefrom.

5. In view of the above, the subject FIR No.1004/2015, under Sections 308/323/34 IPC, Police Station New Usmanpur as well as the consequent proceedings arising therefrom are quashed, subject to the petitioners depositing cost of Rs.5,000/- with the *Delhi Child Welfare Fund*, Department of Women and Child Development, 1A, Canning Lane, Kasturba Gandhi Marg, New Delhi, within a period of two weeks from today. 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.

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

SANJEEV SACHDEVA, J

JANUARY 18, 2018/“§b’