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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CRL.M.C. 360/2018**

**RAKESH GULIA**

..... Petitioner

Through : Mr Anirudh Wadhwa and Mr Vikash  
Pathak, Advocates.

versus

**STATE**

..... Respondent

Through : Mr Arun Kumar Sharma, Addl. PP  
for the State.  
ASI Sham, PS Mehrauli.  
Mr Simarpal Singh Sawhney with  
Mr Vipin Kumar, R-2 in person.

**CORAM:**

**HON'BLE MR. JUSTICE SANJEEV SACHDEVA**

**ORDER**

% **23.01.2018**

**Crl. M.A. 1396/2018(exemption)**

Allowed, subject to all just exceptions.

**CRL.M.C. 360/2018 & Crl. M.A. 1395/2018(stay)**

1. The petitioner seeks quashing of FIR No.922/2017, under Section 308 of IPC, Police Station Mehrauli.
2. The FIR alleges that the petitioner and respondent No.2 are friends and on the night of the alleged incident, they sat together to consume liquor and after consuming liquor, the petitioner is alleged to have hit respondent No.2 with an iron rod leading to grievous injury. The subject FIR has

been lodged after 11 days of the incident and the complainant contends that he was intoxicated at the time when the incident happened.

3. The petitioner and respondent No.2 claim to be friends and with the intervention of family members and neighbours, they have settled their disputes.

4. Respondent No.2 is present in Court in person, represented by counsel and identified by the Investigating Officer, confirms that the settlement has taken place and with a view to restore peace and harmony and to maintain cordial relations among each other, they have settled their disputes.

5. In view of the fact that the parties have settled their disputes and petitioner and Respondent No.2 claim to be friends and the incident happened after consuming liquor and respondent No.2 does 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.

6. Accordingly, FIR No.922/2017, under Section 308 of IPC, Police Station Mehrauli, and the consequent proceedings emanating therefrom are hereby quashed.

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

**JANUARY 23, 2018/§p'**

**SANJEEV SACHDEVA, J**