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

+ **CRL.M.C. 921/2018**

ANAND KUMAR

..... Petitioner

Through: Mr. S.S. Sangwan and Mr. Devender
Kumar, Advs.

versus

THE STATE GOVT OF NCT OF DELHI & ORS Respondents

Through: Ms. Anita Abraham, Addl. PP for the
State with SI Sunder Singh
Mr. Binod Kr. Agrawal, Adv. for R-2

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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10.04.2018

Crl. M.A. 3396/2018 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 921/2018

1. The petitioner seeks quashing of FIR No. 109 of 2016 under Sections 440 of the IPC Police Station Baba Hari Das Nagar, New Delhi, based on a settlement.

2. The subject FIR was registered alleging that the petitioner has fired from a toy-gun from his roof and the pellet hit the complainant who was playing in a field nearby. The parties have settled their disputes. Respondent no. 2 is a minor and is represented by his father

who is respondent no. 3. Compromise deed dated 31.10.2017 has been agreed upon and signed by the parties. The parties are also neighbours. It is contended that with the intervention of senior members of the locality and respectable persons of the vicinity and relatives, the parties have settled their disputes.

3. Respondent no. 2 and 3 are present in person, represented by counsel and identified by the Investigating Officer. They submit that they have settled the disputes with the intervention of locals and respectable people of the locality. Respondent No. 2 and 3 submit that he does not wish to press the criminal complaint against the petitioner any further.

4. In view of the fact that the disputes between the parties have been settled, 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 also be expedient to quash the subject FIRs and the consequent proceedings emanating therefrom.

5. In view of the above, the petitions are allowed. FIR No. 109 of 2016 under Sections 440 of the IPC Police Station Baba Hari Das Nagar, New Delhi and the consequent proceedings emanating therefrom are, accordingly quashed, subject to the petitioner depositing cost of Rs.10,000/- with the “*Prisoners Welfare Fund, Jail No. 13, Mandoli*”, Mangal Pandey Marg, Harsh Vihar, Village

Mandoli, Delhi within two weeks. 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.

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

SANJEEV SACHDEVA, J

APRIL 10, 2018

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