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

+ **CRL.M.C. 1123/2018**

UMESH LOHIA & ORS

..... Petitioners

Through Mr. Surender Kaliraman with Mr.
Shankar Singh and Ms. Pushpa
Kaliraman, Advocates.

versus

THE STATE GOVT OF NCT OF DELHI & ORS Respondents

Through Mr. Akshay Malik, APP for the State.
Mr. Sandeep Mandar with Mr. V.V.
Arya, Advocates for respondent No.2
& 3.
SI Narendra, PS Khyala.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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26.04.2018

CRL.M.C. 1123/2018

1. The petitioners seek quashing of FIR No.452/2015 under Sections 308/34 IPC, Police Station Khayala, based on a Settlement.

2. It is contended that the parties are neighbours. It is contended that the subject FIR was registered consequent to a motor accident. Petitioners are alleged to have beaten the respondents with sticks and rods. It is contended that the parties have settled their disputes and a settlement agreement dated 15.01.2018 has been executed between the parties.

3. Parties have agreed to pay a total sum of Rs.3,30,000/- to respondent Nos.2 and 3 as medical compensation for the injuries sustained and the treatment undertaken. A sum of Rs.1,50,000/- has already been paid. Another sum of Rs.1,80,000/- has been handed over in Court today by way of Demand Draft No.701858 dated 24.04.2018 drawn on Bank of India for Rs.90,000/- and Demand Draft No.894910 dated 25.04.2018 drawn on Punjab National Bank for Rs.90,000/-.

4. Respondent Nos.2 & 3 are present in person, represented by their counsel and are identified by the Investigating Officer. They confirm that they have settled all their disputes with the petitioners. They further submit that they do not wish to press their complaint any further.

5. In view of the fact that parties are neighbours and 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 be expedient to quash the subject FIR and the consequent proceedings emanating therefrom.

6. In view of the above, the petition is allowed. FIR No.452/2015 under Sections 308/34 IPC, Police Station Khayala and the consequent proceedings emanating therefrom are accordingly quashed, subject to the payment of costs of Rs.15,000/- by each of the

petitioners with the “*Prisoners Welfare Fund, Jail No. 13, Mandoli*”, Mangal Pandey Marg, Harsh Vihar, Village Mandoli, Delhi, within a period of three weeks from today. Receipt of deposit of the costs imposed by this order be furnished to the concerned Investigating Officer within a period of four weeks from today

7. Order Dasti under signatures of the Court Master.

SANJEEV SACHDEVA, J

APRIL 26, 2018
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