

\$~15

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

+ CRL.M.C. 1180/2018

HARMINDER SINGH @ BITTOO

..... Petitioner

Through Mr.Mahesh Kumar Gautam, Adv.

versus

THE STATE & ORS

..... Respondent

Through Mr.Mahesh Kumar, APP with ASI
Mange Ram, PS Tilak Nagar.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

%

31.10.2018

1. Vide the present petition under Section 482 Cr.P.C., the petitioners have prayed for quashing of FIR No.356/2015 under Sections 307/34 IPC at Police Station Tilak Nagar and all consequential proceedings emanating therefrom on the basis of the settlement arrived at before the Delhi High Court Mediation and Conciliation Centre, Delhi.

2. Mr.Mahesh Kumar Gautam, learned counsel for the petitioner submits that the petitioner as also respondent nos.2 to 4 are neighbours and due to a scuffle between the parties on a petty dispute, one Mr.Simranjeet Singh, who was the brother of the respondent no.2 had sustained injuries, whereafter based on a complaint made by respondent no.2, the aforesaid FIR was registered against the petitioner and respondent nos.3 & 4.

3. Mr.Gautam submits that subsequently the aforesaid Mr.Simranjeet Singh committed suicide on 09.06.2015 and after his death, the respondent no.2 i.e, the complainant has, with the intervention of the Delhi High Court Mediation and Conciliation Centre, settled his disputes with the petitioner no.1, according to which a sum of Rs.3,00,000/- was to be paid to respondent no.2, which entire amount stands paid. He, therefore, prays that the FIR and the consequential proceedings may be quashed.

4. The petitioner as also respondent nos.2 to 4 are present in Court and have been identified by the Investigating Officer. I have interacted with the respondent no.2, who states that he has entered into the aforesaid settlement of his own free will and without any coercion. He further submits that he has settled all his disputes with the petitioner and the respondent nos.3 & 4 and does not wish to continue the aforesaid criminal proceedings as the petitioner and respondent nos.3 and 4 are his neighbours and he wants to live peacefully with them.

5. I have considered the submissions made by learned counsel for the parties and perused the record. Keeping in view the fact that the parties are neighbours, who have already resolved all their disputes through the aegis of Delhi High Court Mediation and Conciliation Centre and the agreed amount already stands paid to respondent no.2, no useful purpose will be served in continuing the criminal proceedings when the parties themselves want to move on in life. The ends of justice demand that the FIR and consequential proceedings be quashed.

6. For the aforesaid reasons, the petition is allowed and the captioned FIR and all consequential proceedings are quashed, subject to payment of costs of Rs. 50,000/- by the petitioner to the Delhi High Court Advocates Welfare Trust, Rs.50,000/- by the respondent no.3 to the Delhi High Court Staff Welfare Fund and Rs.50,000/- by the respondent no.4 to the Delhi Police Martyr's Fund, A/C No.18200110036907, UCO Bank, Delhi, IFSC Code UCBA0001820 within four weeks from today. A copy of the receipt of costs will be handed over to the Investigating Officer to be produced before the learned Trial Court.

7. The petition is disposed of in the aforesaid terms.

REKHA PALLI, J

OCTOBER 31, 2018

sr