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

+ CRL.M.C. 1386/2018

DEEPAK @ DEEPU & ORS

..... Petitioners

Through: Mr. R.K. Bachchan, Adv.

versus

THE STATE & ANR

.... Respondents

Through: Mr. Arun Kr. Sharma, Addl. PP for the
State with ASI Devender Kumar
Mr. Vinay Duggal, Adv. for R-2

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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19.03.2018

1. Learned counsel for the petitioners submits that the description of petitioner no. 5, on account of a typographical error, has been incorrectly shown. Petitioner no. 5 – Khillu wife of Sh. Suresh Chand has been described as son of Sh. Suresh Chand. The statement is taken on record. The petitioners are permitted to file amended memo of parties. Let the same be filed during the course of the day.

2. The petitioners seek quashing of FIR No. 23 of 2014 under Sections 323/341/308/34 of the IPC Police Station Uttam Nagar, New Delhi, based on a settlement.

3. The parties are neighbours and they belong to the same community and native place. It is contended that with the intervention of senior members of the locality and respectable persons of the neighbourhood, the parties have settled their disputes.

4. Respondent no. 2 who is serving in Delhi Police is present in person in Court today and is identified by the Investigating Officer. He submits that he has settled the disputes with the intervention of locals and respectable people of the locality. Respondent No. 2 submits that he does not wish to press the criminal complaint against the petitioners any further.

5. In view of the fact that the disputes between the parties has been settled and Respondent No. 2 does not wish to press his 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 also 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. 23 of 2014 under Sections 323/341/308/34 of the IPC Police Station Uttam Nagar, New Delhi and the consequent proceedings emanating therefrom are, accordingly quashed, subject to the petitioners depositing cost of Rs.15,000/- 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.

7. Order Dasti under signatures of the Court Master.

SANJEEV SACHDEVA, J

MARCH 19, 2018

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