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

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Judgment delivered on: 09.08.2018

+ CRL.M.C. 2219/2018 & CrI. M.A. 7879/2018

MOHD SALAUDDIN & ANR Petitioners
versus

THE STATE GOVT OF NCT OF DELHI & ORS Respondents

Advocates who appeared in this case:

For the Petitioners : Mr. Ikrant Sharma & Mr. Abhinav Singh, Advs.

For the Respondents: Mr. Panna Lal Sharma, Addl. PP for the State
with SI Harender Kumar
Ms. Divya, Adv. for R-2 to 6

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

09.08.2018

SANJEEV SACHDEVA, J. (ORAL)

1. The petitioners seek quashing of FIR No. 453 of 2015 under Sections 452/308/34 of the IPC registered at Police Station Timarpur, Delhi, based on a settlement.

2. The parties are neighbours residing in the same property on different floors. The subject FIR was registered consequent to an

altercation which took place with regard to motor for pumping water.

3. Learned counsel for the parties submit that the parties have settled their disputes with the intervention of other members of the society. Both the parties have assured that they have restored cordial relationship and shall not quarrel with each other in future. They have also filed their supporting affidavits.

4. Respondent nos. 2 and 3 – Mr. Mohd. Kamil and Mr. Mohd. Afzal are present in court in person, represented by their counsel and are identified by the Investigating Officer. They submit that they have settled the disputes with the petitioners and are agreeable to the settlement and do not wish to press the criminal charges against the petitioners any further.

5. In view of the fact that the disputes between the petitioners and respondent no. 2 & 3 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. 453 of

2015 under Sections 452/308/34 of the IPC registered at Police Station Timarpur, Delhi and the consequent proceedings emanating therefrom are accordingly quashed, subject to the petitioners' depositing cost of Rs. 5000/- to be paid to the *Delhi High Court Advocates Welfare Trust* 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.

AUGUST 09, 2018
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SANJEEV SACHDEVA, J