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

+ CRL.M.C. 1752/2018

ASAMEEN & ORS

..... Petitioners

Through: Mr. Jai Kishan, Adv. with petitioners
in person

versus

THE STATE GOVT OF NCT OF DELHI & ANR Respondents

Through: Ms. Anita Abraham, Addl. PP for the
State with SI Shiv Prakash
Mr. Raj Babu, Adv. with R-2 in
person

+ CRL.M.C. 1758/2018

PUSHPA & ORS

..... Petitioners

Through: Mr. Raj Babu, Adv. with petitioners
in person

versus

STATE (GOVT.OF NCT OF DELHI)

..... Respondent

Through: Ms. Anita Abraham, Addl. PP for the
State with SI Shiv Prakash
Mr. Jai Kishan, Adv. with R-2 in
person

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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10.04.2018

Crl. M.A. 6302/2018 (Exemption) in CRL.M.C. 1752/2018 & Crl. M.A. 6316/2018 (Exemption) in CRL.M.C. 1758/2018

Allowed, subject to all just exceptions.

CRL.M.C. 1752/2018 & CRL.M.C. 1758/2018

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CRL.M.C. 1752/2018 & 1758/2018

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1. The petitioners, in CRL.M.C. 1752/2017 seek quashing of FIR No. 439 of 2017 under Sections 354/354B/506/323/34 of the IPC Police Station Anand Parbat, New Delhi and Petitioners in CRL.M.C. 1758/2017 seek quashing of FIR No. 438 of 2017 under Sections 354/354B/506/323/34 of the IPC Police Station Anand Parbat, New Delhi, based on a settlement.

2. The relations between the parties are that of landlord and tenant. Dispute arose with regard to the tenancy rights and occupation of the premises as well as payment of the rent which led both the parties making allegations against each other and the subject FIRs were registered. In FIR No. 439/2017, one of the injured is Akhilesh Upadhyay, husband of complainant – Smt. Pushpa. It is noticed that Akhilesh Upadhyay is the accused in FIR No. 438/2017 and is co-accused in Crl. M.C. 1758/2017. He is also present in Court. Memorandum of Understanding dated 19.03.2018 has been executed between the parties.

3. Both the respective parties are present in person in Court today, represented by their counsels and are identified by the Investigating Officer. They submit that they have settled all their disputes with the intervention of locals and respectable people of the locality. They further submit that they do not wish to press the criminal complaints against each other any further.

4. In view of the fact that the disputes between the parties has 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.

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5. In view of the above, the petitions are allowed. FIR No. 439 of 2017 under Sections 354/354B/506/323/34 of the IPC Police Station Anand Parbat, New Delhi and FIR No. 438 of 2017 under Sections 354/354B/506/323/34 of the IPC Police Station Anand Parbat, New Delhi and the consequent proceedings emanating therefrom are, accordingly quashed.

6. Order Dasti under signatures of the Court Master.


SANJEEV SACHDEVA, J

APRIL 10, 2018

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