

\$~2

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 1629/2018**

UDAYVER & ORS

..... Petitioners

Through : Mr R.C.Tiwari and Ms Suman
Sharma, Advocates for P-1 to 3.

versus

STATE (NCT OF DELHI)& ORS

..... Respondents

Through : Mr Sunil Kumar, Advocate for
complainant.
SI Shyam Lal Dagar, PS Pul Prahlad
Pur, South East District.

CORAM:
HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **08.05.2018**

1. At request of the petitioners, Mr. Rahul Kumar, son of Mr. Raj Naryan is impleaded as a respondent. Amended memo of parties along with his affidavit is taken on record.
2. Petitioners seek quashing of FIR No.340/2013 under Sections 308/34 IPC, Police Station Pul Prahlad Pur, based on a settlement.
3. Exemption is sought on behalf of Petitioner No.3 on the ground that he is unwell and admitted in Hospital. He has executed a Power of Attorney in favour of his father, Shri Umrao Singh, who is present in Court in person. Copies of medical record as well as the original

Power of Attorney are produced in Court. The same are taken on record.

4. In view of the above, petitioner No.3 is granted exemption from personal appearance.

5. It is informed that a complaint case has been filed by the petitioner No. 1 against respondent Nos. 2 to 5. Petitioner No.1, who is present in Court in person undertakes that he shall withdraw the complaint case, which is pending before the Trial Court. His undertaking is accepted.

6. Parties are neighbours and subject FIR was registered consequent to a quarrel that took place between the parties. As per the MLC, the nature of injury was simple.

7. With the intervention of relatives and common friends, the parties have amicably settled their disputes. Compromise Deed dated 31.03.2018 has been executed between the parties.

8. Respondents are present in Court in person, are represented by counsel and identified by the Investigating Officer. They confirm that they have arrived at a Settlement with a view to maintain peace and harmony in the locality and further submit that they do not wish to press their complaint any further.

9. The petitioners are also present in person in Court. They have regretted their conduct.

10. In view of the above and keeping in view the fact that the parties have resolved their dispute with the intervention of relatives and common friends, with a view to restore peace and harmony between them and Compromise Deed dated 31.03.2018 has been executed between the parties and further they do not wish to press charges against each other, 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.

11. Accordingly, FIR No.340/2013 under Sections 308/34 IPC, Police Station Pul Prahlad Pur, and the consequent proceedings emanating therefrom are hereby quashed, subject to the petitioners depositing total costs of Rs.10,000/-, which shall be paid to the "*Delhi High Court Advocates Welfare Trust*", within a period of two weeks from today. 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.

12. Order Dasti under signatures of Court Master.

SANJEEV SACHDEVA, J

MAY 08, 2018

‘§n’