

\$~1

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 1778/2018**
BIJENDRA VERMA & ORS Petitioners
Through Mr. D.V. Goyal, Adv.

versus

STATE (GOVT OF NCT OF DELHI) & ANR Respondents
Through Ms. Anita Abraham, Addl. PP for the
State with SI Rajbir Singh

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

%

20.04.2018

1. The petitioners seek quashing of FIR No. 109 of 2017 under Sections 356/379/34 of the IPC Police Station Mundka, Delhi, based on a settlement.
2. The parties are residing in the same locality. The allegations against the petitioners are that the petitioners while riding a motorcycle snatched a mobile phone of the complainant. 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.
3. The complainant has settled with the petitioners. Compromise deed dated Nil April, 2018 has been executed.
4. Respondent no. 2 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 also keeping in view the nature of the allegations and the settlement with Respondent no. 2, there is hardly any likelihood of conviction of the petitioners, 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.

6. In view of the above, the petitions are allowed. FIR No. 109 of 2017 under Sections 356/379/34 of the IPC Police Station Mundka, Delhi and the consequent proceedings emanating therefrom are, accordingly quashed, subject to cost of Rs.5,000/- each to be deposited by petitioner no. 1 and 3 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. No cost is being imposed upon petitioner no. 2 as learned counsel for petitioners submits that he is suffering from a serious ailment.

7. Order Dasti under signatures of the Court Master.

SANJEEV SACHDEVA, J

APRIL 20, 2018/‘rs’