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

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Judgment delivered on: 11.07.2018

+ CRL.M.C. 1861/2018

VINOD KHATRI & ORS

..... Petitioners

versus

STATE (NCT OF DELHI) &ORS

..... Respondents

Advocates who appeared in this case:

For the Petitioner :

Mr. Ramesh Gupta, Sr. Adv. and Mr. Ravi Sikri,
Sr. Adv. with Mr. J.R. Peiani and Ms.
Parul Sharma, Advs.

For the Respondent:

Ms. Neelam Sharma, Addl. PP for the State with SI
Vivek Malik

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

11.07.2018

SANJEEV SACHDEVA, J. (ORAL)

1. The petitioners seek quashing of FIR No. 236 of 2017 under Sections 307/323/341/506/147/149/34 of the IPC read with Sections

25/27 of the Arms Act registered at Police Station Vasant Kunj (South), New Delhi, based on a settlement.

2. The parties are residents of the same locality. The subject FIR was registered consequent to a quarrel that took place between the parties with regard to construction of a road and plying of heavy vehicles on the same.

3. It is contended by learned senior counsel for the petitioner that the quarrel happened on the spur of the moment without any premeditation. The injuries received by the complainants are simple in nature. Though the FIR has been registered under the Arms Act, yet no weapon was recovered and even the medical report states that the injury could not be ascertained as a gunshot wound.

4. Learned Addl. PP has filed the status report. The said report does not indicate anything adverse, in so far as, the antecedents of the petitioners are concerned.

5. Learned counsels for the parties submit that the parties have settled their disputes. The compromise deed dated 03.11.2017 has been executed. A cross complaint was also filed by the petitioners, however, no FIR has been registered. The petitioners who are present in Court undertake that they shall not prosecute their cross complaint and they further undertake that no further proceedings shall be

initiated by them as the matter has been amicably settled. The undertaking is accepted.

6. Respondents are present in court in person and are identified by the Investigating Officer. Respondents have also filed affidavits confirming the settlement. 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.

7. In view of the fact that the disputes between the petitioners and respondents 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.

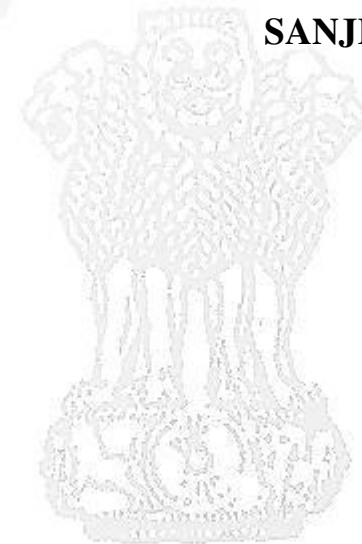
8. In view of the above, the petition is allowed. FIR No. 236 of 2017 under Sections 307/323/341/506/147/149/34 of the IPC read with Sections 25/27 of the Arms Act registered at Police Station Vasant Kunj (South), New Delhi and the consequent proceedings therefrom are, accordingly quashed, subject to the petitioners depositing consolidated costs of Rs.50,000/- with the “*Delhi High*

Court Bar Association Employees' Welfare Fund, 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.

9. Order *Dasti* under signatures of the Court Master.

JULY 11, 2018
'rs'

SANJEEV SACHDEVA, J



नित्यमेव जयते