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

+ CRL.M.C. 1895/2018

RAJDEEP YADAV & ORS

..... Petitioners

Through Mr. Krishan Kumar, Mr. Ram Kumar,
Mr. Sushil Kumar and Mr. Shahil
Dhawan, Advs.

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Through Ms. Neelam Sharma, Addl. PP for the
State with SI Suraj Pal
Mr. K.K. Nangia, Adv. for R-2

+ CRL.M.C. 1896/2018 & CrI. M.A. 6751/2018

RAJDEEP YADAV

..... Petitioner

Through Mr. Krishan Kumar, Mr. Ram Kumar,
Mr. Sushil Kumar and Mr. Shahil
Dhawan, Advs.

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Through Ms. Neelam Sharma, Addl. PP for the
State with SI Suraj Pal
Mr. K.K. Nangia, Adv. for R-2

+ CRL.M.C. 1909/2018

VINEET MITTAL & ORS

..... Petitioners

Through Mr. K.K. Nangia, Adv.

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Through Ms. Neelam Sharma, Addl. PP for the
State with SI Suraj Pal

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CRL.M.C. 1895/2018, 1896/2018 & 1909/2018

2 ✓

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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16.04.2018

Crl. M.A. 6750/2018 (Exemption) in Crl. M.C. 1895/2018

Crl. M.A. 6752/2018 (Exemption) in Crl. M.C. 1896/2018

Crl. M.A. 6788/2018 (Exemption) in Crl. M.C. 1909/2018

Allowed, subject to all just exceptions.

Crl. M.C. 1895/2018, Crl. M.C. 1896/2018 & Crl. M.C. 1909/2018

1. The petitioners, in CRL.M.C. 1895 of 2018 seek quashing of FIR No. 524 of 2014 under Sections 307/448/452/506/34 of the IPC and Sections 27, 54 and 59 of the Arms Act registered at Police Station Keshav Puram, New Delhi; Petitioner in CRL. M.C. 1896/2018 seeks quashing of FIR No. 497 of 2014 under Sections 448/506/34 of the IPC registered at Police Keshav Puram, New Delhi and Petitioners in CRL.M.C. 1909 of 2018 seek quashing of FIR No. 565 of 2016 under Sections 420/34 of the IPC registered at Police Station Keshav Puram, New Delhi.

2. Subject FIRs were registered in respect of a property dispute between the parties relating to factory premises No. C-46, Lawrence Road Industrial Area, Delhi.

3. It is contended that the parties have settled their disputes and Memorandum of Understanding dated 10.01.2018 has been executed between the parties.

4. As per settlement, petitioner – Rajdeep Yadav has paid the settlement amount of Rs. 1 crore to Shri Vineet Mittal and Shri Vikas Mittal. It is confirmed that Vineet Mittal and Vikas Mittal have handed over the physical vacant possession of the portion in their possession to Sh. Rajdeep Yadav.

5. The parties are present in person in Court today, represented by their counsels and are identified by the Investigating Officer. They confirm that their respective obligations as contained in Memorandum of Understanding have been duly performed and no further obligations remain to be performed. They further submit that they do not wish to press the criminal complaints against each other any further.

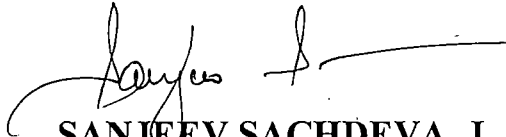
6. In view of the fact that the disputes between the parties have been settled, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the ultimate guiding factor. It would also be expedient to quash the subject FIRs and the consequent proceedings emanating therefrom.

7. In view of the above, the petitions are allowed. FIR No. 524 of 2014 under Sections 307/448/452/506/34 of the IPC and Sections 27, 54 and 59 of the Arms Act registered at Police Station Keshav Puram, New Delhi; FIR No. 497 of 2014 under Sections 448/506/34 of the IPC registered at Police Keshav Puram, New Delhi and FIR No. 565

4

of 2016 under Sections 420/34 of the IPC registered at Police Station Keshav Puram, New Delhi and the consequent proceedings emanating therefrom are, accordingly quashed, subject to payment of cost of Rs.10,000/- each by Raj Deep Yadav, Vineet Mittal, Vikas Mittal, Mahavir Prasad and Ishwar Chand 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 costs are being imposed on petitioners Rakesh s/o Ram Kishore Sen, Hans Raj and Rakesh s/o late Sh. Ishwar Singh in CRL. M.C. 1895/2018 as they were only the then security guards.

8. Order Dasti under signatures of the Court Master:


SANJEEV SACHDEVA, J

APRIL 16, 2018

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