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

+ **CRL.M.C. 3645/2018 & CrI.M.A.No.28443/2018**

SUMIT @ KALLU & ORS.

..... Petitioner

Through Mr.Pankaj K.Srivastava with
Ms.Preety Sinha, Advs.

versus

STATE & ORS.

..... Respondent

Through Mr.Raghuvinder Verma, APP with
S.I.Hari Ram, P.S. Mukherjee Nagar.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **23.10.2018**

1. Vide the present petition, the petitioners seek quashing of FIR No.0816/2016 registered u/s 147/148/149/308/341/323/427/506 of the IPC at P.S. Mukherjee Nagar and all consequential proceedings emanating therefrom.
2. Mr.Srivastava, learned counsel for the petitioners submits that the petitioners and the complainant/respondent no.2, as also the respondent nos. 3 to 6 who were alleged to have been injured in the incident, are all neighbours residing at Village Gopal Pur. He further submits that the captioned FIR was lodged by the respondent no.2 on the spur of the moment pursuant to a fight over a common passage.
3. Mr.Srivastava submits that after the registration of the FIR and the filing of the charge-sheet, the parties with the intervention of the elders of the Village, have resolved their disputes and have jointly executed a

compromise decree dated 05.04.2018. He, therefore, prays that the FIR and proceedings emanating therefrom be quashed as the same are based on a petty quarrel between neighbours.

4. The petitioners as also the respondent nos.2 to 6 are present in Court and have been identified by the I.O.

5. The petitioners as also the respondent nos.2 to 6 jointly submit that keeping in view the fact that they are neighbours and generally have good relations with each other, they do not want to continue with the criminal proceedings.

6. Having considered the settlement arrived at by the parties and the facts that only simple injuries are alleged to have been caused to respondent nos.3 to 6, I am of the considered view that no fruitful purpose will be served in continuing with the criminal proceedings arising out of the captioned FIR since all the parties present in Court undertake to maintain harmony and peace in the locality.

7. In these circumstances, the petition is allowed and the caption is quashed, subject to costs of Rs. 20,000/- payable by the petitioners to Delhi High Court Advocates Welfare Trust within one week from today. Copy of the receipt of the costs will be handed over to the I.O. and will also be placed before the Trial Court on the next date.

8. The petition is disposed of alongwith the pending application.

REKHA PALLI, J

OCTOBER 23, 2018

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