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

+ **CRL.M.C. 2088/2018**

VIJENDER & ORS

..... Petitioner

Through Mr.Maninder Singh with Mr.Ajay
Kumar Pipaniya, Advs.

versus

STATE (GOVT OF NCT OF DELHI) & ORS Respondent

Through Ms.Manjeet Arya, APP with ASI
Rajender, P.S. Alipur.

Ms.Pallavi Pipaniya, Adv with Ms.Mahima, Adv
R-2 to 9.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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16.11.2018

1. Vide the present petition filed u/s 482 Cr.P.C., the petitioners seek quashing of FIR No.0440/2012 registered u/s 25/27/54/59 Arms Act and u/s 147/148/149/307 IPC at Police Station Alipur, Delhi on the basis of a compromise deed dated 20.04.2018.

2. Mr.Maninder Singh, learned counsel for the petitioners submits that the petitioners as also the respondent nos.2 to 9 are neighbours living in Village Tajpur Kalan, Delhi. He submits that due to a misunderstanding, an altercation took place between the parties on 13.12.2012 which led to the registration of cross FIRs by the petitioner no.1 as also by the respondent no.2, the captioned FIR being the one lodged by the respondent no.2. However, with the

intervention of the elders of the locality, the parties have now resolved their disputes and have entered into a compromise deed dated 20.04.2018.

3. Mr.Maninder Singh further submits that not only do the parties undertake to maintain peace and harmony in the locality where they reside but the petitioners are ready to bear the costs as directed by this Court and, therefore, keeping in view the petitioners' young age and the fact that the nature of injuries alleged to have been inflicted on the respondent no. 2 to 9 are only simple, the captioned FIR and consequential proceedings be quashed.

4. The petitioners as also the respondent nos.2 to 9 are present in Court and have been identified by the Investigating Officer. I have interacted with the respondent nos.2 to 9, who jointly state that they have decided to resolve all their differences with the petitioners of their own free will and have entered into the settlement without any coercion. They further submit that they do not want the aforesaid criminal proceedings to continue as they do not want any further acrimony with the petitioners.

5. At this stage, Ms.Manjeet Arya, learned APP draws the attention of this Court to the status report and states that the petitioner nos.3 and 5 were also involved in other criminal cases. She, therefore, prays that in view of the criminal antecedents of the said petitioners, the present petition be dismissed.

6. I have considered the submissions of the learned counsel for the parties and perused the records. Even though, as contended by the learned APP, there is no doubt about the fact that there were cases of

a similar nature against the petitioner nos.3 and 5, the record shows that these cases have already resulted in acquittal/compounding. Keeping in view the fact that the altercation arose out of a misunderstanding which led to the registration of cross FIRs as also the fact that the nature of the injuries alleged to have been inflicted on the respondent nos. 2 to 9 were only simple, I find that no useful purpose will be served in continuing with the criminal proceedings as the same will only create further rancour between the parties who are neighbours.

7. In the light of the compromise deed executed by the parties as also the undertaking given by them in Court, the petition is allowed and the captioned FIR and the proceedings emanating therefrom are quashed, subject to the petitioner nos.1 to 4 and petitioner no.5 paying a sum of Rs.25,000/- each and Rs.50,000/- respectively as costs to the Delhi Police Martyr's Fund, A/C No.18200110036907, UCO Bank, Delhi, IFSC Code UCBA0001820 within two weeks from today. A copy of the receipt of deposit of costs will be handed over to the Investigating Officer for production before the Trial Court.

8. The petition alongwith the pending applications is disposed of in the above terms.

REKHA PALLI, J

NOVEMBER 16, 2018

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