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

% Judgment delivered on: 05.09.2018

+ **CRL.M.C. 2702/2018**

RAMANDEEP SINGH KOHLI Petitioner

versus

THE STATE & ANR Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Surender Choudhary, Advocate.

For the Respondent : Mr. Siddhartha Nanwal, Advocate for
respondent No.2
SI Akash, PS Kapashera.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

05.09.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl.M.A.9618/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 2702/2018

1. The petitioner seeks quashing of FIR No.462/2014 under

Section 392 IPC, Police Station Kapashera.

2. The allegations in the FIR are that the petitioner is stated to have asked the complainant for his phone for making a phone call. When the phone was handed over, he is alleged to have hit him and run away with the phone.

3. Learned counsel for the parties submit that the parties are acquaintances and are known to each other and are residents of the same locality. They submit that the parties have settled their disputes with the intervention of their friends and family members.

4. Respondent No.2 is present in Court in person. He submits that he has received his phone back. He submits that he does not wish to press his present complaint against the petitioner any further and has no objection to the quashing of the FIR.

5. In view of the fact that the parties have resolved their disputes and respondent No. 2 does not wish to press his complaint, 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.

6. In view of the above, the petition is allowed. FIR No.462/2014 under Section 392 IPC, Police Station Kapashera and the consequent

proceedings emanating there from are quashed, subject to the petitioner depositing costs of Rs.10,000/- with the “*Chief Minister’s Distress Relief Fund (CMDRF), Kerala*”, within a period of two weeks from today. 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.

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

SEPTEMBER 05, 2018
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SANJEEV SACHDEVA, J

