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

+ **CRL.M.C. 2675/2018**

DALIP KUMAR & ANR

..... Petitioners

Through Mr. Dalip Kumar Santoshi, Advocate

versus

STATE OF NCT DELHI & ANR

..... Respondents

Through Mr. Mukesh Kumar, APP for the
State.

SI Ram Naresh, PS Amar Colony.

Mr. Vipin Kumar, Advocate for R-2

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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23.05.2018

Crl.M.A.9485/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 2675/2018

1. The petitioners seek quashing of FIR No.1299/2015 under Sections 448/420/468/471/34 IPC, Police Station Amar Colony.
2. The petitioners are the sons of the complainant – respondent No.2. The subject FIR was registered with regard to the use and occupation of the property owned by the mother.
3. Learned counsel for the parties submit that the parties have settled their disputes through the process of mediation held before the

Mediation Centre, Saket and a settlement agreement dated 23.04.2018 has been executed. As per the settlement, the petitioners have expressed regret to the complainant and have also agreed not to claim any right, title or interest over the property bearing No.A-161, Double Storey, DDA Flats, Garhi, East of Kailash, New Delhi. The petitioners admit the same to be owned by the complainant/respondent No.2.

4. Petitioners, who are present in Court in person, undertake that they shall abide by the terms of the Settlement Agreement and shall not claim any rights contrary to the Settlement Agreement between the parties. The undertaking is accepted.

5. The respondent No.2 is present in person, represented by a counsel and is identified by the Investigating Officer. She submits that she has settled her disputes with the petitioners and does not wish to press charges against the petitioners and prosecute the complaint any further.

6. In view of the fact that the parties have resolved their disputes and respondent No. 2 does not wish to press her 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.

7. In view of the above, FIR No.1299/2015 under Sections

448/420/468/471/34 IPC, Police Station Amar Colony and the consequent proceedings emanating there from are quashed.

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

MAY 23, 2018
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SANJEEV SACHDEVA, J