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

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Judgment delivered on: 05.09.2018

+ CRL.M.C. 2868/2018

MOHD. SHAHID & ANR

..... Petitioners

versus

THE STATE (NCT OF DELHI) & ORS

..... Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Rashid Hashmi, Adv.

For the Respondent: Mr.Raghuvinder Verma, Addl. PP for the State
with SI Manoj Kumar, P.S.I.P.Estate
Mr.Vinay Modi, Advocate for R-2

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

05.09.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl. M.A. 10152/2018 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 2868/2018

1. The petitioners seek quashing of FIR No. 80 of 2018 under Sections 354/365/34 of the IPC registered at Police Station I.P.Estate, Delhi, based on a settlement.

2. Allegations in the FIR are that the petitioners are residing on the ground floor of the property in which the complainant resides on the first floor. As per the complainant, the petitioner had confronted the complainant and stated that thrice there have been theft in his house and he suspected here to be the person behind the said thefts. Consequent to this a quarrel took place and the petitioner is alleged to have misbehaved with respondent No.2.

3. With the intervention of other family members and members of the locality, parties have settled their disputes and Settlement Deed dated 14.05.2018 has been executed.

4. The petitioners who are present in person in Court have apologized to respondent no. 2 for their conduct and have assured that they shall not misbehave with the respondent No.2. Petitioners have tendered their apology to respondent No.2, which has been accepted by her.

5. Respondent no. 2 is present in court in person, represented by her counsel and is identified by the Investigating Officer. Respondent no. 2 submits that she has settled the disputes with the petitioners and is agreeable to the settlement and does not wish to press the criminal charges against the petitioners any further.

6. In view of the fact that the disputes between the petitioners and

respondent no. 2 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 be expedient to quash the subject FIR and the consequent proceedings emanating therefrom.

7. In view of the above, the petition is allowed. FIR No. 80 of 2018 under Sections 354/365/34 of the IPC registered at Police Station I.P.Estate, Delhi and the consequent proceedings emanating there from are accordingly quashed.

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

SANJEEV SACHDEVA, J

SEPTEMBER 05, 2018

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