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

+ **CRL.M.C. 2863/2018**

JITENDER KUMAR

..... Petitioner

Through Mr. Vikas Bhatia, Advocate.

versus

THE STATE (NCT OF DELHI) & ANR

..... Respondents

Through Mr. Mukesh Kumar, APP for the
State.

Ms. Pooja Agarwal, Advocate for R-2
with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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29.05.2018

CRL.M.C. 2863/2018 & Crl.M.A.10146/2018 (stay)

1. The petitioner seeks quashing of FIR No.238/2016 under Sections 307/506 IPC, Police Station Anand Parbat. The petitioner is in judicial custody.
2. It is contended that subject FIR is an offshoot of a landlord and tenant dispute. The brother of the petitioner is a tenant under respondent No.2. The subject incident is alleged to have happened consequent to a quarrel which took place on consumption of liquor.
3. Learned counsel for the petitioner submits that the parties have settled their disputes and a compromise-cum-settlement deed dated 27.04.2018 has been executed between the parties. As per the settlement, the petitioner has agreed to pay total amount of Rs.25,000/-

to the respondent for the injuries sustained by him. Rs. 19,000/- has already been paid. Balance sum of Rs.6,000/- has been paid to the respondent in cash today in Court. As per the MLC, nature of injuries sustained is simple.

4. Respondent No. 2 is present in person and represented by counsel. He submits that he has settled all the disputes with the petitioner. He further submits he does not wish to press his complaint any further.

5. In view of the fact that disputes between the parties 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 also 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.238/2016 under Sections 307/506 IPC, Police Station Anand Parbat and the consequent proceedings emanating therefrom are, accordingly quashed, subject to the payment of cost of Rs.5,000/- by the petitioner with the *Delhi High Court Bar Association Employees Welfare Fund* within a period of three weeks from today. Receipt of deposit of the costs imposed by this Order be furnished to the concerned Investigating Officer within a period of four weeks from today.

7. Order Dasti under signatures of the Court Master.

MAY 29, 2018/st

SANJEEV SACHDEVA, J