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

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Judgment delivered on: 09.10.2018

+ CRL.M.C. 3265/2018

RAJESH

..... Petitioner

versus

THE STATE & ANR.

..... Respondents

Advocates who appeared in this case:

For the Petitioner: Mr. N.K. Rawal, Advocates

For the Respondents: Mr. Sanjeev Sabharwal, APP for the State.
ASI Subhash Sharma

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

09.10.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks quashing of FIR No. 443 of 2018 under Sections 392/34 of the IPC registered at Police Station Mangol Puri, Delhi, based on a settlement.
2. Parties are neighbours. The allegations in the FIR are that the complainant was walking on the road after buying milk from dairy. It is alleged that the petitioner along with co-accused came on the motorcycle and snatched the milk packet and also money from the complainant.
3. Learned Addl. PP, under instructions, from the IO submits that the investigation has revealed that only one person was involved i.e. the petitioner.

4. Learned counsels for the parties submit that with the intervention of other residents of the locality, parties have settled their disputes and the parties have entered into a settlement/compromise deed dated 31.05.2018.

5. Respondent No.2 is present in person and is identified by the Investigating Officer. He submits that he has settled the disputes with the petitioner and does not wish to press charges against the petitioner and prosecute the complaint any further. He also submits that there is only one accused and by mistake he had stated that there were two accused.

6. 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.

7. In view of the above, the petition is allowed. FIR No. 443 of 2018 under Sections 392/34 of the IPC registered at Police Station Mangol Puri, Delhi and the consequent proceedings arising therefrom are, accordingly, quashed.

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

SANJEEV SACHDEVA, J

OCTOBER 09, 2018

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