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

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Judgment delivered on:09.10.2018

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CRL.M.C. 3632/2018

BHUPINDER SINGH AND ANR.

..... Petitioners

versus

STATE & ANR.

..... Respondents

Advocates who appeared in this case:

For the Petitioners : Parmod K. Sharma, Advocate.

For the Respondents : Mr. Raghuvender Verma, APP for State.
SI Vikram Singh, PS Rajouri Garden.
Respondent no. 2 in person.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

09.10.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioners seek quashing of FIR No.189/2018 under Sections 323/341/506/34 IPC, Police Station – Rajouri Garden based on a settlement.
2. Subject FIR was filed registered to a quarrel that took place in a restaurant. Petitioners are alleged to have threatened the complainant with a pistol.
3. Status report has been filed and the same is taken on record which indicates that there were no cartridges either in the pistol or in the possession of the petitioners and the weapon was empty. The pistol was apprehended from the spot itself and is a licensed pistol of the petitioner No. 1.

4. Parties have settled their disputes and settlement deed dated 2nd July, 2018 has been executed.

5. Respondent No. 2 is present in Court in person and is identified by the Investigating Officer. He submits that he has settled with the petitioners and does not wish to prosecute the complaint any further and he has no objection to the quashing of subject FIR.

6. In view of the fact that the parties have fully and finally settled their disputes and the respondent No.2 has stated that he does not wish to press the complaint any further, 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.189/2018 under Sections 323/341/506/34 IPC, Police Station – Rajouri Garden and the consequent proceedings emanating there from are quashed, subject to the petitioners’ depositing a consolidated cost 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.

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

SANJEEV SACHDEVA, J

OCTOBER 09, 2018/ak