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

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Judgment delivered on: 03.08.2018

+ CRL.M.C. 3873/2018

SACHIN

..... Petitioner

versus

STATE (NCT OF DELHI) & ANR.

..... Respondents

Advocates who appeared in this case:

For the Petitioners : Mr. Nadeem Abbasi, Adv.

For the Respondent: Mr. Raghuvinder Verma, Addl. PP for the State
With SI Manjeet Kumar

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

03.08.2018

SANJEEV SACHDEVA, J. (ORAL)

1. The petitioner seeks quashing of FIR No. 104 of 2017 under Sections 308 of the IPC registered at Police Station Fatehpur Beri, New Delhi, based on a settlement.

2. The parties were in relationship of employer and employee. The complainant was employee of the petitioner. The subject FIR was registered consequent to a dispute which occurred as the complainant

refused to follow the instructions of the petitioner and in the fit of the rage, petitioner pushed the complainant and he fell down the stairs.

3. It is contended on behalf of the parties that the parties have settled all their disputes with the intervention of respectable persons of the society, elders, well-wishers and family members and a settlement deed dated 24.03.2017 has been executed. In terms of the settlement, the petitioner has paid a total sum of Rs. 2,50,000/- to respondent no. 2/complainant as full and final settlement for the expenditure incurred on the treatment etc.

4. Respondent no. 2 is present in court in person and is identified by the Investigating Officer. He acknowledges that he has received the entire amount and settled with the petitioner. Respondent No. 2 further submits that he has settled the disputes with the petitioner and is agreeable to the settlement and does not wish to press the criminal charges against the petitioner.

5. In view of the fact that the disputes between the petitioner 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.

6. In view of the above, the petition is allowed. FIR No. 104 of 2017 under Sections 308 of the IPC registered at Police Station Fatehpur Beri, New Delhi and the consequent proceedings therefrom are, accordingly quashed.

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

AUGUST 03, 2018
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SANJEEV SACHDEVA, J



नस्यमेव जयते