

\$~62

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

%

Judgment delivered on:01.08.2018

+ CRL.M.C. 3817/2018

DEEPAK KAKKAR

..... Petitioner

versus

THE STATE & ANR (NCT OF DELHI)

..... Respondent

Advocates who appeared in this case:

For the Petitioner(s) : Mr.Raghav Ranjan Srivastava, Adv

For the Respondent(s): Ms. Neelam Sharma, Addl. PP for
the State with ASI Bhupender Kumar,
P.S.Swaroop Nagar.
Mr.Pulkit Thareja, Adv. for R-2 to 4.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

01.08.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl. M.A. 29029/2018 (Exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 3817/2018

1. Petitioner seeks quashing of FIR No.455/2016 under Sections 336/427 at Police Station Swaroop Nagar.

2. Subject FIR was registered consequent to a fire that took place in the premises of the petitioner and spread to the complainants property, on the premise that he had failed to take sufficient safety measures to prevent the fire from spreading, which led to damage to the premises of the

complainant.

3. Learned counsels for the parties submit that the parties have settled their disputes and Compromise Deed dated 16.07.2018 has been executed. The petitioner has got the house of the complainant repaired at his own expense.

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

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.455/2016 under Sections 336/427 at Police Station Swaroop Nagar and the consequent proceedings emanating therefrom are, accordingly quashed.

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

SANJEEV SACHDEVA, J

AUGUST 01, 2018/rk